and budget autonomy and therefore cannot spend its own funds unless authorized by Congress.

Extensive hearings in the D.C. City Council have been held on the underlying issues, with an informed and vigorous debate by members of the City Council. On June 16, the City Council approved legislation to finance the new convention center, and on July 7, the City Council passed a bond inducement resolution to approve the Authority's proposal for the issuance of dedicated tax revenue bonds to finance construction of the convention center. On July 13, the D.C. Financial Responsibility and Management Assistance Authority (Control Board) gave its final approval to the financing plan for the project, leaving only congressional authorization, which is necessary for the District to proceed to the bond market.

On July 15, the Subcommittee on the District of Columbia heard testimony from Mayor Marion Barry, City Council Chair Linda Cropp, City Council Member Charlene Drew Jarvis, Control Board Chair Andrew Brimmer, Authority President Terry Golden, and representatives of the General Accounting Office (GAO) and the General Services Administration (GSA) on the financial aspects of the project. After hearing this testimony, I am satisfied that the Authority is ready to proceed with the issuance of bonds to secure financing, allowing the Authority to begin to break ground possibly as early as September. Considering the many years' delay and the millions in lost revenue to the District, ground breaking cannot come too soon.

Although the GAO testified that the cost of constructing the new convention center would be $708 million, $58 million more than the $650 million estimate, this $58 million is not attributable to the cost of the center but to certain costs that should be borne by entities other than the Authority. For example, vendors who will operate in the facility are anticipated to contribute $17.7 million in equipment costs; the District government will provide $10 million for utility relocation from expected Department of Housing and Urban Development grants; and the President has requested $25 million in his budget to expand the Mount Vernon Square Metro station.

The GSA testified that the agency had worked closely with the Authority to keep the costs of the project down. With the GSA's assistance, the Authority secured a contract with a construction manager for a ''Guaranteed Maximum Price,'' whereby the private contractor is given incentives to keep costs down and assumes the risk for any cost overruns.

Mayor Marion Barry testified, among other things, regarding the promise of additional jobs for District residents. He said that the new convention center would create nearly 1,000 new construction jobs, and that once the facility is completed, it would generate nearly 10,000 jobs in the hospitality and tourism industries. He testified that, using some of the approaches that were successful with the MCI Center, special training and goals for jobs for D.C. residents would be met.

The District of Columbia Subcommittee hearing was not a reprise of the lengthy D.C. City Council hearings, and, on home rule grounds, did not attempt to repeat issues of local concern. However, since the issues of financing and bonding before the Congress implicate other areas, the Subcommittee asked extensive questions and received testimony concerning many issues, including location, size, and job creation, in addition to the strictly financial issues.

This convention center has an unusual financial base, which I believe other cities might do well to emulate. The financing arises from a proposal by the hotel and restaurant industry for taxes on their own industry that would not have been available to the city for any other purpose. The proposal was made at a time when the city's need for revenue and jobs has been especially pressing. For many years, the District had been unable to attract large conventions. Not only has the District lost billions as a result; the local hotel and restaurant industry has suffered from the absence of a large convention center. It is estimated that the inadequacy of the current facility led to the loss of $300 million in revenue from lost conventions in 1997 alone. My legislation will enable the District to compete for its market share in the convention industry for the first time in many years.

The delay in building an adequate convention center has been very costly to the District. In a town dominated by tax exempt property, especially government buildings, a convention center is one of the few projects that can bring significant revenues. To that end, the District intends to break ground this September. I ask for expeditious passage on this bill.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4194. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, and for other purposes.

H.R. 4328. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4194) ''An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations and offices for the fiscal year ending September 30, 1999, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon and appoints Mr. BOND, Mr. BURNS, Mr. STEVENS, Mr. SHELBY, Mr. CAMPBELL, Mr. CRAIG, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, Mr. HARKIN, and Mr. BYRD, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4328) ''An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SHELBY, Mr. DOMENICI, Mr. SPECTER, Mr. BOND, Mr. GORTON, Mr. BENNETT, Mr. FAIRCLOTH, Mr. STEVENS, Mr. LAUTENBERG, Mr. BYRD, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, and Mr. INOUYE, to be the conferees on the part of the Senate.

The message also announced that the Senate passed a concurrent resolution of the following title in which concurrence of the House is requested:

S. Con. Res. 114. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

☐ 2145

BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore (Mr. LAHOOD). 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 further consideration of the bill, H.R. 2183.

☐ 2150

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 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 Mr. BLUNT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON) had been disposed of.

It is now in order to consider amendment No. 22 offered by the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I ask unanimous consent to withdraw amendment No. 22, and ask the House to consider amendment No. 23, at the Chairman's desk.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

AMENDMENT OFFERED BY MR. BARR OF GEORGIA TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. BARR of Georgia. Mr. Chairman, I offer amendment No. 23 to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS.

The CHAIRMAN. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 23 offered by Mr. BARR of Georgia to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end the following new title:

TITLE —PROHIBITING BILINGUAL VOTING MATERIALS

SEC. 01. PROHIBITING USE OF BILINGUAL VOTING MATERIALS.

(a) PROHIBITION.—

(1) IN GENERAL.—No State may provide voting materials in any language other than English.

(2) VOTING MATERIALS DEFINED.—In this subsection, the term ''voting materials'' means registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots.

(b) CONFORMING AMENDMENTS.—The Voting Rights Act of 1965 is amended—

(1) by striking section 203 (42 U.S.C. 1973aa—1a);

(2) in section 204 (42 U.S.C. 1973aa–2), by striking '', or 203''; and

(3) in section 205 (42 U.S.C. 1973aa–3), by striking '', 202, or 203'' and inserting ''or 202''.

The CHAIRMAN pro tempore. Pursuant to the order of the House on Friday, July 17, 1998, the gentleman from Georgia (Mr. Barr) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have introduced an amendment which bans the use of bilingual ballots in Federal elections. We know that almost 25 years ago this Congress provided for bilingual ballots. Back then our country was just beginning to see a huge influx of immigrants to our shores who wished to exercise their right to vote when they became American citizens.

We need to recognize that if an individual becomes a naturalized citizen of this country, they are required to demonstrate a knowledge of English before they can achieve citizenship status. This Congress, in 1950, explicitly added a specific requirement that persons who wish to become citizens must ''demonstrate an understanding of English language, including an ability to read, write, and speak words in ordinary usage in the English language.''

While we require individuals to learn English, bilingual ballots contradict this by allowing them to vote in their native language, a language other than the English language.

We all recognize, Mr. Chairman, that our Nation is made up of more nationalities than any other country in the world. We are all proud of that fact, because it demonstrates and confirms to us what we have always known about America, that it remains the best country in the world.

However, all we need do is look to our neighbor in the north, Canada. Canada is a divided nation, a deeply divided nation, a sometimes violently divided nation, because of the acceptance of but two, but two, national languages, only two. Look at the problems they have: near secession, rioting. These are the wages of lingual disunity. It is essential to our national interest to maintain one language, the English language, in the transaction of our Nation's business, government services, and, most importantly, voting.

What business of government is more important to the government and the people of a country than voting? By making the choice to become an American citizen, immigrants take upon themselves the responsibility to learn the English language and to become productive citizens of this country. A foreign language on a Federal ballot provides that an individual can still easily exercise one civic duty, and yet completely neglect their other duty of mastering the English language.

Mr. Chairman, let us also note a paradox which exists with respect to this issue. Supporters of bilingual ballots have argued that they are desperately needed. Claims have been made that citizens who speak foreign languages would be less likely to register and vote if they could not vote with a bilingual ballot. Studies, I might add parenthetically, do not prove this to be the case.

Yet, the same people who support bilingual ballots because people are not learning English turn right around and say a constitutional amendment making English the official language of American government is unnecessary because everybody is already learning the language.

Mr. Chairman, the only essential thing is that when languages other than English appear on a ballot, the language of the ''immigrant ancestors'' is given official status by the Federal Government co-equal with the English language. That is neither contemplated nor appropriate. It is certainly not contemplated in our citizenship laws, which require proficiency in the English language to become a citizen.

Bilingual ballots are just one more way that well-meaning people hinder the progress of certain groups in this country of foreign ancestry. English is the language of this Nation. Those who do not learn it will be unable to take their rightful place and excel in the political arena, in the economic arena, in the education arena, and every other arena in this land.

I ask my colleagues to vote for this important amendment, which simply reaffirms existing law on citizenship and brings that down to the ballot box, where it is perhaps the most important indice and most important chore and responsibility, and indeed, right that any citizen has, naturalized or native born.

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

The CHAIRMAN pro tempore. Does the gentleman from Massachusetts (Mr. MEEHAN) rise in opposition to the amendment?

Mr. MEEHAN. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for 5 minutes.

Mr. MEEHAN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman for yielding time to me.

Again, the amendment of the gentleman from Georgia (Mr. BARR) has nothing to do with campaign finance reform. Mr. Chairman, Republicans have a great idea to improve democracy: let us hold an election, but make sure some specially singled out voters do not have the chance to read fully about what the issues are, or who they are voting for.

Who do they seek to single out? True to form, they single out immigrants who fled political persecution or economic repression, who encourage their children to study hard, who attend weekend classes to improve their English skills, all the while holding down two jobs to support their families. These are people proud to be American citizens.

Yes, there is an elementary language provision under the immigration law to become a United States citizen, but there are also exceptions for those seniors who are elderly and who are exempted. They would be not having the access to understand what they are voting for.

Think about the ballot questions that come forth and the complexity of those ballot questions. These are people Republicans want to punish. I say to my friends on the other side of the aisle, people who use bilingual voting materials are people who want to participate in the process, who want to be informed about the issues, who want to know where the candidates stand. Otherwise, they would not be using these materials in the first place.

Come November, I believe these hard-working Americans who pay their taxes, serve in the Armed Forces of the United States, and are Americans in all other respects, will remember the contempt this amendment treats them with.

We should vote down this amendment and at the same time keep Shays-Meehan free from anything that is not campaign finance reform.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I begin by saluting my colleague, the gentleman from Massachusetts (Mr. MEEHAN), and the gentleman from Connecticut (Mr. SHAYS), for their tremendous patience. Because as we are seeing with this amendment, we have been offered everything but the kitchen sink as an amendment to this bill.

This really has nothing to do with the underlying issue of campaign finance reform. It does have to do with a movement concerning proficiency in English, which I agree is an important part of being an American. But I also

know that there are many people that are some of our strongest and best Americans whose first language is, in my community, Spanish or Vietnamese. They are some of our hardest working citizens. They pay taxes, they contribute to our community, and they deserve a right to participate in the electoral process.

□ 2200

As I review the specifics of this amendment that the gentleman from Georgia (Mr. BARR) is offering, it allows the ballots to be bilingual, which they certainly should be. It is the voting materials that he says cannot be in another language.

My goodness, in our State, we provide instructions, we use bilingual instructions to teach people how to get a driver's license. Why can we not provide the same manner of instruction for those who want to exercise their franchise as Americans? I can tell my colleagues that in the State of Texas, unlike some other parts of the world, language is not dividing us. It is only those who attack other languages and other cultures from their own misunderstanding who divide us.

Mr. Chairman, let us come together and support what this bill is all about and not get divided over a question of bilingual information for voters.

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

The CHAIRMAN pro tempore (Mr. BLUNT). The gentleman from Massachusetts (Mr. MEEHAN) has 1½ minutes remaining, and the gentleman from Georgia (Mr. BARR) has 1 minute remaining, and has the right to close.

Mr. MEEHAN. Mr. Chairman, I yield the balance of my time to the gentleman from Rhode Island (Mr. WEYGAND), a leader in the effort of campaign finance reform.

Mr. WEYGAND. Mr. Chairman, I thank the gentleman from Massachusetts (Mr. MEEHAN) for yielding me this time, and for the great work he has been doing on this. In closing, let me remake a couple of the points that have been said so eloquently by my colleagues here.

First, this proposed amendment is not about campaign finance reform. This is more properly before discussion and debate on voters' rights and the Voting Act.

Number two, the gentleman from Georgia (Mr. BARR) talks about this is not an allowable provision under the Voting Act. He in fact says that it is not allowable for people who do not understand English to be American citizens under the 1975 Voting Act.

Mr. Chairman, that is not true. The fact is that people that are older and have been here for 15 or 20 years, depending upon their age, are allowed to become citizens of the United States by taking a test in their own language. This, therefore, would discriminate against many of the older immigrant Americans who have been naturalized from participating in the voting process that they have worked so hard and so dearly to attain.

Last but not least is the complexity by which many questions are placed on the ballot. Again, they need some description, some assistance. By having such a referendum in their own language, it provides an easy way for people who are truly Americans to be able to participate in the voting process that we so rightly and so richly deserve.

Mr. BARR of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is interesting, of course, that the opponents of this very simple and straightforward amendment regarding the fact that voting materials provided by the government should be in English, not in other languages, it is very interesting that they refer several times to an amendment to the laws of this land that provide for a small category of persons, elderly, who speak another language who have been in this country for a certain lengthy number of years. They keep referring to that, yet I am sure that they would not agree to a friendly amendment that those people indeed could have bilingual materials. They are just opposed to having these materials in the English language.

Mr. Chairman, they are so opposed to it, that they call this a poison pill. A poison pill, simply saying that ballot materials, voting materials shall be in the English language. That is somehow poisonous to this country, that is poisonous to the standards, to voting procedures in this country.

That, I think, says perhaps more than anything else, more than all of the great eloquent words on the other side that this to them is poisonous, simply standing up for the English language.

Mr. Chairman, I urge adoption of the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Georgia (Mr. BARR) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BARR of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Georgia (Mr. BARR) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) will be postponed.

It is now in order to consider the amendment by the gentleman from Ohio (Mr. TRAFICANT).

AMENDMENT NO. 24 OFFERED BY MR. TRAFICANT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. TRAFICANT. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. TRAFICANT to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end the following new title:

TITLE —EXPULSION PROCEEDINGS FOR HOUSE MEMBERS RECEIVING FOREIGN CONTRIBUTIONS

SEC. 01. PERMITTING CONSIDERATION OF PRIVILEGED MOTION TO EXPEL HOUSE MEMBER ACCEPTING ILLEGAL FOREIGN CONTRIBUTION.

(a) IN GENERAL.—If a Member of the House of Representatives is convicted of a violation of section 319 of the Federal Election Campaign Act of 1971 (or any successor provision prohibiting the solicitation, receipt, or acceptance of a contribution from a foreign national), it shall be in order in the House at any time after the fifth legislative day following the date on which the Member is convicted to move to expel the Member from the House of Representatives. A motion to expel a Member under the authority of this subsection shall be highly privileged. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion was agreed to or disagreed to.

(b) EXERCISE OF RULEMAKING AUTHORITY.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House of Representatives, and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the House of Representatives to change the rule at any time, in the same manner and to the same extent as in the case of any other rule of the House of Representatives.

MODIFICATION TO AMENDMENT NO. 24 OFFERED BY MR. TRAFICANT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that my amendment be modified with the language that will be sent to the desk forthwith.

Mr. Chairman, I would like to read it and send it up to the Clerk here. It would strike on page 1, line 12, after ''foreign national'' and all that follows through line 14, page 2, and insert the following:

''The Committee on Standards of Official Conduct shall immediately consider the conduct of the Member and shall make a report and recommendation to the House forthwith concerning that Member, which may include a recommendation for expulsion.''

Mr. Chairman, I will send it to the Committee and I would like to, if the Committee is satisfied and there is no objection, proceed with my amendment.

The CHAIRMAN pro tempore. The Chair will treat the modification as having been read.

Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

Pursuant to the order of the House on Friday, July 17, 1998, the gentleman from Ohio (Mr. TRAFICANT), and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, it was not my intention to bypass the Committee on Standards of Official Conduct. It is my intention, however, to highlight the importance of the infusion of illegal foreign money into our campaigns.

If we are to truly reform this system, there must be that statement which exists within this reform. The original Traficant language said within 5 days it must be brought to the floor, once a Member has been convicted of having knowingly accepted an illegal campaign contribution.

The Committee on Standards of Official Conduct, and some of the Members who have done a good job, including the gentleman from Maryland (Mr. CARDIN), believe that perhaps it would be seen as an effort to circumvent and to bypass the Committee on Standards of Official Conduct. It is not my intentions to do that, but I will say this. The key words in there, ''it shall be immediately referred'' to that committee and ''it shall be brought forthwith'' without placing any specific dates on that.

And the original Traficant amendment never did say that that Member had to be expelled, but there had to be a vote on expulsion. It would still be subject to the same constitutional requirements. I am hoping that this will satisfy, but it will still associate with that heinous crime some punishment timely with the deed.

Mr. Chairman, the House should not let those matters be carried over too long. And having conferred with our ranking member of that committee, I am comfortable with it.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I was going to ask to claim the time in opposition, but I am not in opposition but in support of the gentleman's amendment. I appreciate the gentleman from Ohio (Mr. TRAFICANT) yielding me this time. Perhaps we could conclude debate on this quite quickly.

Mr. Chairman, I would like to put on the record that I appreciate two things: the conscientious concern of the gentleman from Ohio about the conduct of Members of this body; and, secondly, his accommodating the concerns that have been expressed about the appropriate functioning of our committee structure by the amendment that he made.

I think the gentleman's amendment leaves the authority with the committee. It does not compel an answer one way or the other.

So, I would rise in support, and yield back with my compliments to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Maryland (Mr. CARDIN), a fellow graduate of the University of Pittsburgh. I think his improvement of this amendment is well worth his time.

Mr. CARDIN. Mr. Chairman, I thank the gentleman from Ohio (Mr. TRAFICANT) for his willingness to work with us on this amendment. The point that he is raising is a very important point, and that is if a Member has been convicted of violating the foreign contribution ban, that that matter must be immediately considered by the Committee on Standards of Official Conduct and a report must come back forthwith to the House for action.

I think that that is the appropriate way to handle it. I want to congratulate the gentleman for bringing this to our attention. It is very important that the House have an opportunity to act promptly when these types of circumstances develop. Hopefully, it will never happen, but it is important that that statement be made. I congratulate my colleagues.

Mr. TRAFICANT. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Chairman, I thank the gentleman from Ohio (Mr. TRAFICANT) for yielding me this time.

Mr. Chairman, for those that may be following this debate and wonder at times what ''poison pill'' and some of the references actually mean, I want to point to the motives of the Shays-Meehan effort. That is really to try to remove the influence that special interests have on Federal election campaigns.

I also want to point out, with this amendment being an example, that we are not killing everything that comes up. If it is germane, if it is special interest, if it is about money in Federal elections, and it is something that is going in the same direction of real reform, we are willing to work with the authors of amendments such as the gentleman from Ohio (Mr. TRAFICANT) and this is a great example.

Mr. Chairman, I commend the gentleman for his work and his persistence on this legitimate issue of foreign money coming into the American Federal political process. There is some domestic money that we think is also egregious and we are trying to put some reasonable limitations on soft money and the proliferation of these outside interests. I thank the gentleman for his work.

Mr. TRAFICANT. Mr. Chairman, I appreciate the efforts of the committee in helping to fashion this amendment. It was no intent to circumvent the Committee on Standards of Official Conduct. They have done a fine job.

Mr. Chairman, I urge an ''aye'' vote.

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

Mr. CAMPBELL. Mr. Chairman, I ask unanimous consent to claim the time otherwise reserved for one who is in opposition.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California (Mr. CAMPBELL)?

There was no objection.

Mr. CAMPBELL. Mr. Chairman, I yield back the balance of my time.

Mr. TRAFICANT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Ohio (Mr. TRAFICANT) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment, as modified, to the amendment in the nature of a substitute was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 25.

AMENDMENT OFFERED BY MR. BLUNT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. BLUNT. Mr. Chairman, I offer amendment No. 25 as the designee of the gentleman from Texas (Mr. DELAY) to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 25 offered by Mr. BLUNT to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

At the appropriate place, insert the following:

SEC. . EXPRESS ADVOCACY DETERMINED WITHOUT REGARD TO BACKGROUND MUSIC.

Section 301 (2 U.S.C. 431) is amended by adding at the end the following new paragraph:

''(20) In determining whether any communication by television or radio broadcast constitutes express advocacy for purposes of this Act, there shall not be taken into account any background music used in such broadcast.''

The CHAIRMAN pro tempore. Pursuant to the order of the House Friday, July 17, 1998, the gentleman from Missouri (Mr. BLUNT) and the gentleman from California (Mr. CAMPBELL) will each control 5 minutes.

The Chair recognizes the gentleman from Missouri (Mr. BLUNT).

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

Mr. Chairman, I offer this amendment in defense of music. I represent one of the music capitals of the world, Branson, Missouri. In Branson, we do not quote Voltaire often but if we did, we might paraphrase Voltaire by saying, ''I may not like your choice of music but I will defend to the death your right to play it.''

We may ask ourselves, Mr. Chairman, what does music have to do with campaign reform? I asked that very question myself. Yet the Federal Election

Commission speech police deemed background music relevant.

I, like most reasonable people, do not think that the FEC has the authority or the right to decide what background music can or cannot be used in issue ads. This amendment prohibits that kind of regulatory intimidation.

Now, I am not joking about this, Mr. Chairman. The FEC has a history of prosecuting on the basis of background music. For instance, in the case of Christian Action Network versus FEC, the FEC stated that background music should be a determining factor in establishing the presence of express advocacy. Thankfully, this case was dismissed and the FEC was severely castigated in court for pursuing it.

The Fourth Circuit Court of Appeals even awarded the victims of the FEC, the Christian Action Network, attorneys' fees because the prosecution was not substantially justified.

The Shays-Meehan bill is extremely vague and the expansive definition of express advocacy gives the FEC even more rope to strangle speech by private citizens and groups. Without my amendment, the FEC could again cite background music as a basis for persecution. Without my amendment, who knows what would happen if Shays-Meehan became the law of the land.

The Battle Hymn of the Republic, express advocacy if I ever heard it; John Philip Souza, forget it. You would have to have a legal defense fund. Francis Scott Key in the background, you better call your lawyer.

We are not just whistling Dixie with this amendment, Mr. Chairman. The FEC has already tried using background music in an enforcement action. If not for the Fourth Circuit Court, they would have gotten away with it. Do not let them try it again. It is time for the FEC to face the music, Mr. Chairman. Stand up for freedom of speech and freedom of music. Vote for this amendment. It is in tune with the first amendment.

Mr. CAMPBELL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Washington (Mr. METCALF).

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

Mr. METCALF. Mr. Chairman, I have strongly supported campaign finance reform legislation for years and I have worked very hard for Washington State's excellent campaign finance reform bill, but our basic task today is to pass the Shays-Meehan bill.

Many of the amendments offered are good amendments, concepts I have supported for years. In fact, I would have voted for most of the amendments if they had not been added to this particular bill, but there is a larger goal here today to pass the Shays-Meehan bill.

We must not let the perfect be the enemy of the good. We cannot afford, in striving for a perfect bill, to add amendments that split off key voting blocks and thus sink the only chance for real reform this year. Some of these amendments have that purpose.

I have the faith that we will enact real and honest campaign finance reform. This bill is just the first step, not a complete fix. I have faith that my colleagues will not vote for the amendments that will kill this first step toward the reform that the American people are asking for.

□ 2215

I ask my colleagues to vote against this amendment and subsequent amendments that put the Shays-Meehan reform bill in jeopardy.

Mr. BLUNT. Mr. Chairman, I reserve the balance of my time.

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

Our good friend and distinguished majority whip, the gentleman from Texas (Mr. DELAY), who offered this amendment, and I had a discussion. He is not present here, no doubt in connection with his duties of consoling the family of the heroic agent who died in his office and the other officer as well. But before this day, before that sad event, I discussed with the whip whether the phrase ''music'' may be ambiguous, and I certainly doubt it was the whip's intention, that lyrics be included in ''music.'' That is just obvious.

The lyrics might say, and in giving this example, I will not sing, and impose that on my colleagues. Vote for DELAY, DELAY, DELAY; vote for DELAY, DELAY, DELAY,'' to allow that would obviously undermine the heart of the amendment.

What I am offering is, if my good friend and colleague from Missouri would be able, in the absence of the distinguished whip, to take a unanimous consent to amend so that the phrase ''not including lyrics'' is included right after the word ''music.''

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

MODIFICATION TO AMENDMENT OFFERED BY MR. BLUNT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. BLUNT. Mr. Chairman, I ask unanimous consent that the words ''not including lyrics'' be added after the word ''music.''

The CHAIRMAN pro tempore (Mr. SNOWBARGER). Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN pro tempore. The amendment is so modified.

Mr. CAMPBELL. Mr. Chairman, I yield back the balance of my time.

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

I just, again, would like to urge that we clarify this and take the FEC clearly out of this realm of expression and, in defense of music, that we add this modified amendment to the bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Missouri (Mr. BLUNT), as modified, to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment, as modified, to the amendment in the nature of a substitute was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 26.

AMENDMENT OFFERED BY MR. MCINTOSH TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. MCINTOSH. Mr. Chairman, I rise as the designee of the gentleman from Texas (Mr. DELAY) to offer amendment No. 84 to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows.

Amendment offered by Mr. MCINTOSH to the amendment in the nature of a substitute No.13 offered by Mr. SHAYS:

In section 301(8) of the Federal Election Campaign Act of 1971, as amended by section 205(a)(1)(B) of the substitute, add at the end the following:

(F) For purposes of subparagraph (C), no communication with a Senator or Member of the House of Representatives (including the staff of a Senator or Member) regarding any pending legislative matter, regarding the position of any Senator or Member on such matter, may be construed to establish coordination with a candidate.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday July 17, 1998, the gentleman from Indiana (Mr. MCINTOSH) and a Member opposed, each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. MCINTOSH).

Mr. MCINTOSH. Mr. Chairman, I understand there would be agreement to limit the time on each side to 3 minutes, which I would be willing to do, and I ask unanimous consent to so limit the debate.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

Mr. MEEHAN. Mr. Chairman, reserving the right to object, I just want to understand the amendment, and I yield to the gentleman from Indiana (Mr. MCINTOSH).

Mr. MCINTOSH. Mr. Chairman, I have seen it numbered 84. I have also seen it numbered 16 in some of the materials. And 26 is the number I understand that it is.

Mr. MEEHAN. Mr. Chairman, could the gentleman read the amendment so we are clear?

Mr. MCINTOSH. For purposes of subparagraph (C), no communication with a Senator or Member of the House of Representatives (including the staff of a Senator or Member) regarding any pending legislative matter, regarding the position of any Senator or Member on such——

Mr. MEEHAN. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Indiana (Mr. MCINTOSH) is recognized for 3 minutes.

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

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

This amendment secures the right of Members of Congress and our staffs to receive information on pending legislative matters and to transmit information regarding our positions on issues without them being deemed to be coordinated with the various outside organizations that provide or receive such information.

This includes all two-way communication, whether it be questionnaires, conversations of any sort and exchange of letters or any other communication. The amendment offered by the gentlewoman from Washington (Mrs. LINDA SMITH) does not protect this right, as I will explain in a moment, and so it is necessary to bring this amendment forward.

Section 205 of the Shays-Meehan bill defines ''coordination with a candidate'' as any of 10 broad categories of direct or indirect contacts, actual or presumed, between a candidate, including offices of incumbent Members of Congress and a citizen group. This coordination includes all types of contact that are routine for issue-oriented groups that lobby Congress, whether it be an environmental group, a health issues group or an abortion control group, gun control or any other issue.

For example, section 205 can easily be construed to prohibit issue-oriented groups from soliciting information from candidates, including incumbent Members of Congress, regarding their positions on issues, then communicating that information to citizens in grassroots lobbying or voter education campaigns.

The bill states that ''coordination with a candidate'' includes ''a payment made by a person pursuant to any general or particular understanding with a candidate or an agent.''

I am afraid that this could apply, for example, to the common practice of issue-oriented groups sending candidates a survey regarding their positions on an issue or group of issues or sending a Member of Congress a letter soliciting his position on an issue and then subsequently using it in a grassroots communication.

Some groups use forms by which a lawmaker or other candidate can indicate his or her endorsement of a certain legislative initiative, for example, the balanced budget or even the Shays-Meehan bill. Of course, these questionnaires are submitted with the general understanding, as the bill says, that the sponsoring organization will disseminate the answers to interested citizens.

But under this bill, that coordination is an activity that would be defined as prohibited coordination. Any and all two-way communications, a phone call, an interview, a meeting or exchange of letters, all of these perfectly legitimate activities would be considered coordination under this bill.

I am sure that was not the intent of the authors, and we are offering this amendment as a way to correct that and construe the matter in a way that allows those type of communications.

Mr. Chairman, I yield back the balance of my time.

Mr. FARR of California. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from California (Mr. FARR) is recognized for 3 minutes.

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment. Let us really look at the wording. I cannot believe that we want to suggest what this amendment does.

This amendment weakens the existing law, weakens the ability for the FEC to enforce the law. This amendment allows Members to conspire about a campaign issue.

Let us take the tobacco issue. This amendment allows you to meet with a lobbyist for the tobacco industry to figure out how you are going to vote and what Members are going to vote on it and devise a campaign out of that. I do not think that is really what you want to happen.

Look at the language, no communication with a Senator or Member of the House, including a staff member, regarding any pending legislative matter regarding the position of the Senator or the Member on such matter may be construed to establish coordination with a candidate. You are saying that you cannot use that collaboration as being construed as collaboration under the law. Therefore, illegal.

Mr. MCINTOSH. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, I am not aware of any current law that makes that type of communication illegal currently.

Mr. FARR of California. It does. You cannot sit down in your office with a group that wants to do a campaign and figure out and coordinate how you are going to be working on legislation and then go out and run a campaign on it. That is just totally illegal. You are making an exception for legislation.

I think it is an exception being made, frankly, that the big political battle here is for the tobacco interests. This bill would allow the tobacco interests and the legislators to sit down and figure out a plan of how to run a national campaign. Maybe that is not what you intended, but that is what the law allows. And I do not think it is good, and I would oppose it.

This is not about campaign finance reform. This is essentially about how to let more lobbyists into the door of legislative offices and be involved in designing and collaborating for campaigns.

Mr. LEVIN. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Michigan.

Mr. LEVIN. Mr. Chairman, I want to say to the gentleman from Indiana that the present FEC law where there is that kind of a communication would result in an in-kind contribution. You really are changing, with your amendment, unintentionally perhaps, present FEC regulations. I would urge very much that you take another look, because we would have to oppose this as loosening present law. I think that is clear.

Mr. MCINTOSH. Mr. Chairman, if the gentleman will continue to yield, certainly the intent is not to loosen existing law, though I am not convinced that existing law puts those types of limits on issue-oriented campaigns. There is coordination as to helping a candidate with his or her election. Then that is a different matter. It is certainly not the intention to change existing law.

Mr. FARR of California. Mr. Chairman, reclaiming my time, it does. And the language, just look at it, no communication may be construed to establish coordination. Those are the operative words. I do not think that is in the best interest of campaign reform.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Indiana (Mr. MCINTOSH) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. MCINTOSH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from Indiana (Mr. MCINTOSH) will be postponed.

It is now in order to consider amendment No. 27. The Chair understands that the amendment will not be offered.

It is now in order to consider amendment No. 28. It is the Chair's understanding that that amendment will not be offered.

It is now in order to consider amendment No. 29. It is the Chair's understanding that that amendment will not be offered as well.

It is now in order to consider the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT). Is there a designee for the gentleman from Minnesota (Mr. GUTKNECHT)?

It is now in order to consider the amendment offered by the gentleman from Colorado (Mr. BOB SCHAFFER). Is there a designee for the gentleman from Colorado (Mr. BOB SCHAFFER)?

It is now in order to consider the amendment by the gentleman from California (Mr. HORN).

AMENDMENT OFFERED BY MR. HORN TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. HORN. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Mr. HORN to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end the following new title:

TITLE—REDUCED POSTAGE RATES

SEC. 01. REDUCED POSTAGE RATES FOR PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL CANDIDATES.

(a) IN GENERAL.—Section 3626(e)(2)(A) of title 39, United States Code, is amended by striking ''and the National Republican Congressional Committee'' and inserting ''the National Republican Congressional Committee, and the principal campaign committee of a candidate for election for the office of Senator or Representative in or Delegate or Resident Commissioner to the Congress''.

(b) LIMITING REDUCED RATE TO TWO PIECES OF MAIL PER REGISTERED VOTER.—Section 3626(e)(1) of such title is amended by striking the period at the end and inserting the following: '', except that in the case of a committee which is a principal campaign committee such rates shall apply only with respect to the election cycle involved and only to a number of pieces equal to the product of 2 times the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the con-

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from California (Mr. HORN) and a Member opposed, each will control 5 minutes.

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

□ 2230

Mr. HORN. Mr. Chairman, I yield myself such time as I may consume. The amendment I am offering is a straightforward effort to take a positive step toward improving our campaigns. This proposal would reduce the cost of campaigns for all candidates for Congress, those that are incumbent, those that are challengers. It will create a better balance between incumbents and challengers and it will encourage real debate and discussion of these issues that are very important to our voters. This is a proposal to level the playing field, for incumbents and challengers.

With more and more millionaires entering politics, the change in the postal rate will give those who are not wealthy the opportunity to get out their message by two mailings to each household in their district. What this means is that you will get the postage at half the price it is now for candidates but at the price that is already authorized in law for national party committees and State party committees. This simply changes the law to include candidates for Congress, that includes the Senate and Members of the House of Representatives.

Under the current rules of the House, Mr. Chairman, we prohibit mass mailings under the frank in the 60-day period before a primary or a general election. This limit reduces one advantage enjoyed by incumbents under the current system. The Shays-Meehan bill would expand this prohibition by eliminating mass mailings under the congressional frank for the 6 months before an election. The limiting advantages for incumbents can be very appropriate reform, but I believe we should also seek to level the playing field for all candidates and thus improve the quality of the political dialogue. That is the goal essentially of this amendment. I think that the fact that we already can do that through the State and national committees, this is simply clearing out the intermediaries and the middle people and getting it directly to the challengers and to the incumbents. The difference is they would deliver the mail at 6.9 cents for what is generally a mailer versus the 13.2 cents that is already paid. So it would help everybody. That, I think, is in the interest of the public to have a decent political debate in this country.

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

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The gentleman from California (Mr. FAZIO) is recognized for 5 minutes.

Mr. FAZIO of California. Mr. Chairman, I yield myself such time as I may consume. I think this is a very well-intentioned amendment, but I have problems with it from several perspectives.

First of all the estimate of cost made by the Postal Service based on eight candidates per district, primary and general, is $130 million. That is a very large sum, one that I think would bring this bill under criticism from many who support Shays-Meehan but do not support public financing. This would be perceived to be a backdoor way of providing public financing to candidates.

Now, there are those who would advocate some sort of proposal like this if it were tied to the concept of spending limits. But this bill has avoided getting into that thicket because the controversy would weigh down the basic benefits of passing the Shays-Meehan law which many of us think does not go far enough but many also believe is about all we can accomplish with this very even balance we have achieved here on a bipartisan basis in this Congress. Since there is no spending limit and there would be no way of inducing people, therefore, into agreeing to limit their public spending, we would have to raise issues with this amendment that frankly would cause us to come down on the side of a ''no'' vote.

The problem with this is that it is perceived as a way of giving challengers funding. And while there may be people in the country and certainly in this body who would like to help challengers, most of us want to deal with people on an equal basis and therefore provide equal benefits to people running as incumbents and as outsiders. Shays-Meehan has done a major thing to restore some balance by setting the date at 6 months prior to an election. I know the gentleman from California (Mr. HORN) voluntarily does not mail at all in the last year of the two-year cycle, but I do think that the effort made in this bill moves in the right direction, to move the franking privilege away from being a benefit to incumbent candidates.

I worry that the combination of opposition that might result both because it is too much reform, public financing and because it takes on the incumbent with money that would go to his challenger, creates a situation in which regrettably we would lose votes for this bill from both ends of the political spectrum and perhaps endanger the enactment of Shays-Meehan which we all believe is a major improvement, maybe not perfection but certainly the best we can do in this very evenly balanced proposal. I would have to on that basis regretfully indicate opposition.

Mr. WAMP. Mr. Chairman, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Tennessee.

Mr. WAMP. I thank the gentleman for yielding. I rise, too, in very reluctant opposition and I say reluctant because the author of this bill the gentleman from California (Mr. HORN) is not only one of the brightest individuals in the House, he has been a true reformer, offering multiple bills and multiple amendments, really an academic expert in this issue of campaign finance reform. But I do come from the other ideological perspective.

I encouraged the authors of Shays-Meehan early on when it was in a different form not to go the route of public financing, not to go the route of broadcaster financing and we have put together this coalition amazingly well of people who had great heartburn with those two provisions. This would effectively take us there, albeit in a small way, but it would take us there to public financing. Frankly I am on this train with the understanding we were not going to go to this destination. So I certainly want to speak to that. But I very much commend the gentleman from California (Mr. HORN) for all that he continues to do because he is truly trying his best to go in our direction.

Mr. FAZIO of California. Mr. Chairman, I reserve the balance of my time.

Mr. HORN. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, to say this is public financing is not really accurate. Sure, money is involved in postage. This is the postal administration that has several billion, I believe, in profits now. They deliver these at both the nonprofit rate and the higher rate. It does not really make any cost change in adding people to the route they run. It simply gives

now what is given to State parties to the candidates.

The original Shays-Meehan bill and McCain-Feingold reform plans had a proposal like this in them. Now, they probably took it out for some reason. But I cannot imagine except incumbents would not like this because that would give their challenger a chance. I think we ought to get a little broader and not just be protecting incumbency, we ought to let the challengers have the same type of opportunity we have; because, let us face it, incumbents generally, unless you are running against a millionaire, can have a lot in their bank accounts. I do not happen to. So do hundreds of others in here. But a few of our Members, as we know, have million-dollar campaign funds, and that scares off the competition. This would at least give the competition a chance to get the message out twice, to the households in the district at the nonprofit rate.

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

Mr. FAZIO of California. Mr. Chairman, I yield myself the balance of my time.

Let me just conclude by saying I personally believe public financing is the way of the future. I think we have neglected it in the presidential system and need to reinvigorate public support for it. But I am more concerned tonight that we not impede progress on Shays-Meehan, that we not upset the balance that has been achieved in this version of this bill. It is the best we can accomplish under the circumstances. I would not want to endanger its enactment because we went too far in the direction that some of our colleagues that support this bill cannot go. I do not want to inflame some of our colleagues on the other end of the spectrum who are concerned about advantaging their challengers.

I realize we have not made perfection, but I think we have come a lot further than any would have anticipated. We are on the verge of success, enacting something we can all be proud of. I hope the gentleman from California (Mr. HORN) can accept our reluctant opposition to his amendment, and I hope he can support Shays-Meehan as a major step in the right direction. Hopefully in subsequent Congresses we can readdress some of these same kinds of issues and perhaps reach common ground on going further.

Mr. HORN. Mr. Chairman, I yield myself the balance of my time.

The gentleman from California knows that I have been a sponsor and coauthor of Shays-Meehan. I think there are a lot of good things in it. But these are simple, little things that can make a difference for candidates that are new to the political game and give them a chance to get their message over. I would hope the gentleman is not throwing the red herring of public finance out to this body to simply protect the incumbents' present superiority to most of the challengers, unless you have the increasing millionaires. I would hope we could rise above that and give the challenger two mailings to households in all our districts. You have to pay for them. You pay for them at half the rate you do now unless you go through the party committee at the State level and the national level, and then you are going to get the rate right now which you can already do. If you are calling that public financing, fine, but it makes no sense, because the public financing we are talking about is what is given Presidents of the United States, candidates for the presidency, and, that is, to have the money that is fungible throughout your campaign with no limit on when it is. This is one limit, getting the two mailers to the houses in your district.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. HORN) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. HORN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from California (Mr. HORN) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) will be postponed.

It is now in order to consider the amendment by the gentleman from Michigan (Mr. UPTON). Is there a designee for the gentleman from Michigan (Mr. UPTON)?

It is now in order to consider the amendment by the gentleman from Michigan (Mr. SMITH) as modified by the order of the House of July 20, 1998. Is there a designee for the gentleman from Michigan (Mr. SMITH)?

It is now in order to consider the amendment by the gentleman from Arizona (Mr. SHADEGG).

AMENDMENT OFFERED BY MR. SHADEGG TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. SHADEGG. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 35 offered by Mr. SHADEGG to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. EXPEDITED COURT REVIEW OF CERTAIN ALLEGED VIOLATIONS OF FEDERAL ELECTION CAMPAIGN ACT OF 1971

(a) IN GENERAL.—Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d)(1) Notwithstanding any other provision of this section, if a candidate (or the candidate's authorized committee) believes that a violation described in paragraph (2) has been committed with respect to an election during the 90-day period preceding the date of the election, the candidate or committee may institute a civil action on behalf of the Commission for relief) against the alleged violator in the same manner and under the same terms and conditions as an action instituted by the Commission under subsection (a)(6), except that the court involved shall issue a decision regarding the action as soon as practicable after the action is instituted and to the greatest extent possible issue the decision prior to the date of the election involved.

''(2) A violation described in this paragraph is a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 relating to—

''(A) whether a construction is in excess of an applicable limit or is otherwise prohibited under this act; or

''(B) whether an expenditure is an independent expenditure under section 301(17).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after the date of the enactment of this Act.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Arizona (Mr. SHADEGG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I yield myself such time as I may consume. I have an amendment which seeks to solve a problem in existing law. That problem is that under the way the FEC laws are currently written, if a campaign law violation occurs in the last 90 days before an election is held, there is essentially no remedy. That is, that violation goes by and cannot be remedied. The reason for that is that under current law, the only existing remedy is to go to the Federal Election Commission in Washington, D.C., file a complaint and under the FEC guidelines no action, absolutely no action is to be taken on that complaint for a period of 90 days.

What that means is that during the last 90 days of a campaign, there simply is no remedy for many of the violations which occurred. Indeed there is no remedy whatsoever. The FEC cannot get to it before the election. Oftentimes such complaints are rendered moot by the election and, therefore, there is a gaping hole in existing law. What my amendment would do is to solve this. It solves this problem by simply saying that for any violation of the FEC provisions which occurs in the last 90 days before the election, a candidate involved in that campaign would be able to pursue a remedy in Federal District Court in their district. And it requires that the Federal District Court give that candidate expedited review of their complaint.

What that means is that when an egregious violation of law occurs during this key last 90 days of the campaign, the candidate would have an option to go to Federal District Court, file a pleading, request a remedy, ask the court to give them a remedy, and say, yes, this is a violation and provide an answer to the problem. It is, I think, an eminently fair provision. It would bias neither side, but it would solve the problem in the way the current Federal Election Code is written.

I urge my colleagues to adopt this amendment. It is good sense. It would provide the court with the authority to grant injunctive relief if necessary, and it requires the court to both act on an expedited basis and if possible to resolve the complaint before the election. I think it has tremendous merit. I urge my colleagues to support it.

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

Mr. WAMP. Mr. Chairman, I rise to claim the time normally in opposition but not to oppose the amendment.

The CHAIRMAN pro tempore. Without objection, the gentleman from Tennessee is recognized for 5 minutes.

There was no objection.

Mr. WAMP. Mr. Chairman, I yield myself such time as I may consume. This is another good example where the gentleman offering the amendment is in a constructive way enhancing what we are trying to accomplish with good reform. Certainly the reformers here in support of Shays-Meehan accept the amendment and commend the gentleman from Arizona (Mr. SHADEGG) for bringing this idea to us and actually putting it into a form that will certainly strengthen the Federal Election Commission and the laws and rules that govern we as candidates here in the House and in the Senate. I thank the gentleman very much.

Mr. Chairman, I yield back the balance of my time.

□ 2245

Mr. SHADEGG. Mr. Chairman, is it my understanding the amendment has been accepted?

Mr. WAMP. Mr. Chairman, the amendment has been accepted, but we will have a voice vote at the pleasure of the gentleman from Arizona (Mr. SHADEGG).

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

Mr. Chairman, I appreciate the expression of support from both this side and the other side. I think it is an improvement in the current law that will benefit the system and help to clean up elections in America.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The question is on the amendment offered by the gentleman from Arizona (Mr. SHADEGG) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider Amendment No. 36.

Is there a designee present for the gentleman from Texas (Mr. DELAY)?

It is now in order to consider the amendment offered by the gentleman from Florida (Mr. SHAW).

AMENDMENT OFFERED BY MR. SHAW TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. SHAW. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment offered by Mr. SHAW to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. REQUIRING MAJORITY OF AMOUNT OF CONTRIBUTIONS ACCEPTED BY HOUSE CANDIDATES TO COME FROM IN-STATE RESIDENTS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i)(1) With respect to each reporting period or an election, the total of contributions accepted by a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress from in-State individual residents shall be at least 50 percent of the total of contributions accepted from all sources.

''(2) As used in this subsection, the term 'in-State individual resident' means an individual who resides in the State in which the congressional district involved is located.''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Florida (Mr. SHAW) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, we are here tonight at a quarter of eleven. Unfortunately, it is so late the offices are closed; the staff have gone home; there is only a handful of Members here on the floor tonight. I was tempted to call a point of order to bring the Members back in because I think this is really pitiful that Members are not here to listen to what we are talking about here tonight.

But what we are talking about is campaign finance reform, and my amendment would be the most simple and, I think, productive type of campaign reform that we could possibly have, and that is just simply to say this, and it is so simplistic:

Half of the campaign money that my colleagues receive has to come from their home State. I am not talking about colleagues' home districts. Much in the Calvert amendment, much was to do with the question of poor districts. I understand that, and I can well understand that. My district is 91 miles long and only 3 miles wide, but I think that it is not too much to say if we want to be able to take campaign finance away from K Street and back to Main Street with our own districts that we should be able to do so.

We have found here, as incumbents and long-term incumbents such as me, we have found that it is so easy to raise money here in Washington that we are tempted to do so instead of going home and raising money in our own State, campaign in our own districts and our own States. And I think that if we are really going to be talking about campaign finance reform, me and all the incumbents who have found it so easy over the years to raise money here in Washington should be able to be required to say, hey, money is the mother milk of politics today. We should be able to require ourselves and anyone else running for office in a Federal election to be able to go home to their home State and raise half of their money.

This is not too much to ask. I think it is a very, very reasonable amendment. I cannot see how anybody could possibly oppose it. And if someone could come up here and say to me that I have got a good reason to say this is bad, this should not be, I would yield them the time.

I would say to the gentleman from California (Mr. FAZIO) who is standing there and all the gentlemen over there who are going to jump up and talk about a poison pill, if they can tell me how this is bad, I would yield them the time.

Does anybody want me to yield time because they can criticize the amendment? Or do they want to criticize it because it is a poison pill?

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, I would like to begin my argument against it, and then after I use the rest of the gentleman's time, I will ask for the time in opposition.

Mr. SHAW. Mr. Chairman, if the gentleman is going to criticize the amendment and come out and say this amendment is bad, and we go back a long time, but I do not think the gentleman would do that.

Mr. FAZIO of California. Mr. Chairman, I would stay on the merits of the argument, if the gentleman would continue to yield.

Mr. SHAW. I yield to the gentleman.

Mr. FAZIO of California. Mr. Chairman, I think this is a very, very difficult concept to administer, and let me give my colleagues some examples as to how difficult it would be.

If a Member is from Kansas City, Missouri, this places a much higher value on funds they would raise in St. Louis than in Kansas City, Kansas. In other words, if Members are one of those people on the borders of the State—

Mr. SHAW. Reclaiming my time, Mr. Chairman.

That cannot possibly be on the merits. If Members are from Kansas City, then they have got to decide which side of the border they are from, and then they should decide where they are running from, where their support should come from, who the people are that they are representing and bring this back closer to the people.

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

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to the amendment and I yield myself such time as I may consume.

Mr. Chairman, I was beginning to point out in my colloquy with my friend from Florida the unworkability of this amendment but also the fact that it is an artificial barrier. We ought to be focusing on the region that the individual comes from, for example, and why would not people who come from Kansas City, Missouri, have the same interests that people two miles away in the other State have on issues of importance to the region, to its economy, to its employers, to its workers?

This sets an artificial standard. For example, Members may have hundreds of bus drivers who want to support them in their district and in their State, but their home office where their PAC is located may be States away. This would mean that those people would, in effect, not been counted as people from their State. The same would be true of a corporate PAC that is home based at corporate headquarters hundreds of miles, thousands of miles away from where many of its workers are located in a plant in their district. They would not be counted as part of the in-State or in-district contributor base.

The marketplace of political debate should determine whether it is appropriate or not to raise money from any given place or individual. This can be an issue in a campaign. If Members are surviving only on the basis of Washington money or out-of-State money, it is a legitimate issue to be brought up. But to establish this standard is an artificial one, particularly difficult for Members who come from poor and small States, areas where it is hard to raise money and yet they have many legitimate issues they want to bring to the attention of their voters.

Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. WEYGAND).

Mr. WEYGAND. Mr. Chairman, I want to thank the gentleman from California and I want to thank the gentleman from Florida for bringing up the issue, and I think the issue that he is talking about is important and pertinent for States like Florida or California or New York.

But I come from Rhode Island. Rhode Island has a total of a million people in the State, only two congressional districts. I can travel 20 minutes from the center of my district and be in the State of Connecticut, travel about a half hour and be into Massachusetts.

For us in small States like Rhode Island this is an extremely difficult kind of amendment that would be imposed upon us. Not that the people in Rhode Island should not deserve representation and contribute to campaigns, to those people they want to have represent them, but for many people in Rhode Island and other small States like Delaware it becomes virtually impossible to raise that kind of money for a congressional campaign.

Secondly, for people that may be low income or minority in my State or other small States, they often connect with other people from other States that happen to be of the same ethnic background or same political direction, and it becomes very important for them to do that.

This bill, if every State were the size of the State of Florida, I could understand the gentleman's point. If everybody were centered in the middle of a large State, I could understand his point. But for a very small State it becomes almost impossible.

The second point that the gentleman from California (Mr. FAZIO) made which is critical:

People within labor or business or advocacy groups that happen to be located in my State but their home or major office is someplace else, in Washington, New York, California or Texas, the funds that they use to support candidates in Rhode Island go to those Washington, Texas or California offices, then come back to us. They would not fall into the category within the confines of the gentleman's amendment, again hurting small States and low-income areas.

So I can sympathize with the intent of trying to keep the money within the area that Members represent, and when there is 30 seats, or 26 seats, or 52 seats in the Congress from one State, that is possible. But when there is only one or two seats, like Rhode Island, South Dakota, North Dakota, Delaware, it becomes very impossible.

Mr. FAZIO of California. Mr. Chairman, I yield myself such time as I may consume.

To conclude, Mr. Chairman, I would simply say this is an important effort in Shays-Meehan to stop the explosion of soft money and sham issue ads. It does not deal with many of the other issues that have been brought up in other campaign finance reform bills. It is a carefully crafted and balanced proposal, and many people who support it do not agree with the gentleman from Florida (Mr. SHAW) and therefore, regrettably for him, would oppose the overall bill were this amendment to be adopted.

So I hate to say it, but it is, in fact, the proverbial poison pill. It would cause the coalition to shatter and end up destroying what chance we have in this late hour in this Congress to take some fundamental steps forward, not perhaps addressing all of the issues that all the Members would like to have before us but making a real difference in the electoral process and in the restoration of confidence in the American political system.

Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, I would briefly say in rebuttal to the gentleman I think what we are talking is trying to bring balance back to the American political system, and to stand there and argue that PACs may have some problem with this particular amendment is not a very good argument.

What we are talking about, Mr. Chairman, is trying to bring the political system back to the people that we represent. Now to bring it back to just their congressional district creates a problem, and we understand that problem because there are some districts that are extremely poor. But to say that we cannot bring it back to a State, I do not think that we have any States that are that poor that they cannot support the people that they send up here to represent them.

We think this is terribly important, Mr. Chairman, and I think that for us to turn our backs on the people that we represent and say that we are going to vote against this particular amendment, which just simply says to take back the political system back to the States, back to the people who have sent us here, it is very important and vital for us to remember where we came from and remember the people that sent us here.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has expired. The question is on the amendment offered by the gentleman from Florida (Mr. SHAW) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. SHAW. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from Florida (Mr. SHAW) to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS will be postponed.

It is now in order to consider the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I rise in support of this amendment.

The CHAIRMAN pro tempore. Will the gentlewoman designate which amendment? Is it amendment number 38?

Ms. KAPTUR. Mr. Chairman, for purposes of the RECORD, this would be the original amendment listed as 39. I will not be officially offering it this evening. It has to do with the constitutional amendment to overturn Buckley versus Valeo, which I think is the real answer to these questions. But we will be moving on to Amendment 39.

The CHAIRMAN pro tempore. Does the gentlewoman wish to offer Amendment No. 38?

Ms. KAPTUR. Not at this point.

The CHAIRMAN. It is now in order to consider Amendment No. 39 offered by the gentlewoman from Ohio (Ms. KAPTUR).

AMENDMENT OFFERED BY MS. KAPTUR TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Ms. KAPTUR. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment offered by Ms. KAPTUR to the Amendment in the Nature of a Substitute No. 13 offered by Mr. SHAYS:

Add at the end the following new title:

TITLE ___—ETHICS IN FOREIGN LOBBYING

SEC. ___01. PROHIBITION OF CONTRIBUTIONS AND EXPENDITURES BY MULTICANDIDATE POLITICAL COMMITTEES OR SEPARATE SEGREGATED FUNDS SPONSORED BY FOREIGN-CONTROLLED CORPORATIONS AND ASSOCIATIONS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 441 et seq.) is amended by adding at the end the following new section:

''PROHIBITION OF CONTRIBUTIONS AND EXPENDITURES BY MULTICANDIDATE POLITICAL COMMITTEES SPONSORED BY FOREIGN-CONTROLLED CORPORATIONS AND ASSOCIATIONS

''SEC. 323. (a) IN GENERAL.—Notwithstanding any other provision of law—

''(1) no multicandidate political committee or separate segregated fund of a foreign-controlled corporation may make any contribution or expenditure with respect to an election for Federal office; and

''(2) no multicandidate political committee or separate segregated fund of a trade organization, membership organization, cooperative, or corporation without capital stock may make any contribution or expenditure with respect to an election for Federal office if 50 percent or more of the operating fund of the trade organization, membership organization, cooperative, or corporation without capital stock is supplied by foreign-controlled corporations or foreign nationals.

''(b) INFORMATION REQUIRED TO BE REPORTED.—The Commission shall—

''(1) require each multicandidate political committee or separate segregated fund of a corporation to include in the statement of organization of the multicandidate political committee or separate segregated fund a statement (to be updated annually and at any time when the percentage goes above or below 50 percent) of the percentage of ownership interest in the corporation that is controlled by persons other than citizens or nationals of the United States;

''(2) require each trade association, membership organization, cooperative, or corporation without capital stock to include in its statement of organization of the multicandidate political committee or separate segregated fund (and update annually) the percentage of its operating fund that is derived from foreign-owned corporations and foreign nationals; and

''(3) take such action as may be necessary to enforce subsection (a).

''(c) LIST OF ENTITIES FILING REPORTS.—The Commission shall maintain a list of the identity of the multicandidate political committees or separate segregated funds that file reports under subsection (b), including a statement of the amounts and percentage reported by such multicandidate political committees or separate segregated funds.

''(d) DEFINITIONS.—As used in this section—

''(1) the term 'foreign-owned corporation' means a corporation at least 50 percent of the ownership interest of which is controlled by persons other than citizens or nationals of the United States;

''(2) the term 'multicandidate political committee' has the meaning given that term in section 315(a)(4);

''(3) the term 'separate segregated fund' means a separate segregated fund referred to in section 316(b)(2)(C); and

''(4) the term 'foreign national' has the meaning given that term in section 319.''.

SEC. ___02. PROHIBITION OF CERTAIN ELECTION-RELATED ACTIVITIES OF FOREIGN NATIONALS.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

''(b) A foreign national shall not direct, dictate, control, or directly or indirectly participate in the decisionmaking process of any person, such as a corporation, labor organization, or political committee, with regard to such person's Federal or non-Federal election-related activities, such as decisions concerning the making of contributions or expenditures in connection with elections for any local, State, or Federal office or decisions concerning the administration of a political committee.''.

SEC. ___03. ESTABLISHMENT OF A CLEARINGHOUSE OF POLITICAL ACTIVITIES INFORMATION WITHIN THE FEDERAL ELECTION COMMISSION.

(a) ESTABLISHMENT.—There shall be established within the Federal Election Commission a clearinghouse of public information regarding the political activities of foreign principals and agents of foreign principals. The information comprising this clearinghouse shall include only the following:

(1) All registrations and reports filed pursuant to the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) during the preceding 5-year period.

(2) All registrations and reports filed pursuant to the Foreign Agents Registration Act, as amended (22 U.S.C. 611 et seq.), during the preceding 5-year period.

(3) The listings of public hearings, hearing witnesses, and witness affiliations printed in the Congressional Record during the preceding 5-year period.

(4) Public information disclosed pursuant to the rules of the Senate or the House of Representatives regarding honoraria, the receipt of gifts, travel, and earned and unearned income.

(5) All reports filed pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) during the preceding 5-year period.

(6) All public information filed with the Federal Election Commission pursuant to the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) during the preceding 5-year period.

(b) DISCLOSURE OF OTHER INFORMATION PROHIBITED.—The disclosure by the clearinghouse, or any officer or employee thereof, of any information other than that set forth in subsection (a) is prohibited, except as otherwise provided by law.

(c) DIRECTOR OF CLEARINGHOUSE.—(1) The clearinghouse shall have a Director, who shall administer and manage the responsibilities and all activities of the clearinghouse.

(2) The Director shall be appointed by the Federal Election Commission.

(3) The Director shall serve a single term of a period of time determined by the Commission, but not to exceed 5 years.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to conduct the activities of the clearinghouse.

SEC. ___04. DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF THE CLEARINGHOUSE.

(a) IN GENERAL.—It shall be the duty of the Director of the clearinghouse established under section ___03—

(1) to develop a filing, coding, and cross-indexing system to carry out the purposes of this Act (which shall include an index of all persons identified in the reports, registrations, and other information comprising the clearinghouse);

(2) notwithstanding any other provision of law, to make copies of registrations, reports, and other information comprising the clearinghouse available for public inspection and copying, beginning not later than 30 days after the information is first available to the public, and to permit copying of any such registration, report, or other information by hand or by copying machine or, at the request of any person, to furnish a copy of any such registration, report, or other information upon payment of the cost of making and furnishing such copy, except that no information contained in such registration or report and no such other information shall be sold or used by any person for the purpose of soliciting contributions or for any profitmaking purpose;

(3) to compile and summarize, for each calendar quarter, the information contained in such registrations, reports, and other information comprising the clearinghouse in a manner which facilitates the disclosure of political activities, including, but not limited to, information on—

(A) political activities pertaining to issues before the Congress and issues before the executive branch; and

(B) the political activities of individuals, organizations, foreign principals, and agents of foreign principals who share an economic, business, or other common interest;

(4) to make the information compiled and summarized under paragraph (3) available to the public within 30 days after the close of each calendar quarter, and to publish such information in the Federal Register at the earliest practicable opportunity;

(5) not later than 150 days after the date of the enactment of this Act and at any time thereafter, to prescribe, in consultation with the Comptroller General, such rules, regulations, and forms, in conformity with the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of section ___03 and this section in the most effective and efficient manner; and

(6) at the request of any Member of the Senate or the House of Representatives, to prepare and submit to such Member a study or report relating to the political activities of any person and consisting only of the information in the registrations, reports, and other information comprising the clearinghouse.

(b) DEFINITIONS.—As used in this section—

(1) the terms ''foreign principal'' and ''agent of a foreign principal'' have the meanings given those terms in section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611);

(2) the term ''issue before the Congress'' means the total of all matters, both substantive and procedural, relating to—

(A) any pending or proposed bill, resolution, report, nomination, treaty, hearing, investigation, or other similar matter in either

the Senate or the House of Representatives or any committee or office of the Congress; or

(B) any pending action by a Member, officer, or employee of the Congress to affect, or attempt to affect, any action or proposed action by any officer or employee of the executive branch; and

(3) the term ''issue before the executive branch'' means the total of all matters, both substantive and procedural, relating to any pending action by any executive agency, or by any officer or employee of the executive branch, concerning—

(A) any pending or proposed rule, rule of practice, adjudication, regulation, determination, hearing, investigation, contract, grant, license, negotiation, or the appointment of officers and employees, other than appointments in the competitive service; or

(B) any issue before the Congress.

SEC. ___05. PENALTIES FOR DISCLOSURE.

Any person who discloses information in violation of section ___03(b), and any person who sells or uses information for the purpose of soliciting contributions or for any profit-making purpose in violation of section ___04(a)(2), shall be imprisoned for a period of not more than 1 year, or fined in the amount provided in title 18, United States Code, or both.

SEC. ___06. AMENDMENTS TO THE FOREIGN AGENTS REGISTRATION ACT OF 1938, AS AMENDED.

(a) QUARTERLY REPORTS.—Section 2(b) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612(b)), is amended in the first sentence by striking out '', within thirty days'' and all that follows through ''preceding six months' period'' and inserting in lieu thereof ''on January 31, April 30, July 31, and October 31 of each year, file with the Attorney General a supplement thereto on a form prescribed by the Attorney General, which shall set forth regarding the three-month periods ending the previous December 31, March 31, June 30, and September 30, respectively, or if a lesser period, the period since the initial filing,''.

(b) EXEMPTION FOR LEGAL REPRESENTATION.—Section 3(g) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613(g)) is amended by adding at the end the following: ''A person may be exempt under this subsection only upon filing with the Attorney General a request for such exemption.''.

(c) CIVIL PENALTIES.—Section 8 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 618), is amended by adding at the end thereof the following:

''(i)(1) Any person who is determined, after notice and opportunity for an administrative hearing—

''(A) to have failed to file a registration statement under section 2(a) or a supplement thereto under section 2(b),

''(B) to have omitted a material fact required to be stated therein, or

''(C) to have made a false statement with respect to such a material fact,

shall be required to pay a civil penalty in an amount not less than $2,000 or more than $5,000 for each violation committed. In determining the amount of the penalty, the Attorney General shall give due consideration to the nature and duration of the violation.

''(2)(A) In conducting investigations and hearings under paragraph (1), administrative law judges may, if necessary, compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing.

''(B) In the case of contumacy or refusal to obey a subpoena lawfully issued under this paragraph and, upon application by the Attorney General, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt thereof.''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

Mr. SHAYS. Mr. Chairman, could I claim the 5 minutes in opposition?

The CHAIRMAN pro tempore. The gentleman from Connecticut has claimed the time in opposition and will be recognized later for 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

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

Mr. Chairman, historically, Congress has been very clear about disallowing foreign contributions to U.S. campaigns at every level, and if we look, however, at the foreign lobbying activities that have grown, especially in this past quarter century, and the organization of multinational corporations that have in many ways outgrown existing law, it is clear that an amendment like this is needed and, as originally proposed, my amendment sought to both clarify the definition as well as the disclosure by foreign-controlled political action contributions to U.S. election campaigns.

□ 2300

But I am going to offer a modified version of this after considerable consultation with the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Ohio (Mr. GILLMOR) and others on the other side of the aisle and this one.

But it is certainly true to say that U.S. law has been abundantly clear about who can contribute to U.S. campaigns: citizens of this country as individuals and citizens through political action committees expressly organized for that purpose. But corporations cannot contribute directly, nor can trade unions outside of a formally recognized political action committee.

But because of a loophole dating back to 1934, while foreign nationals and foreign citizens cannot directly or indirectly contribute to U.S. elections, foreign-controlled corporations and trade associations, including those based in the United States, can contribute.

The Federal Election Campaign Act, section 441(e) says, and I quote,

A foreign national shall not directly or through any other person make a contribution or expressly or implicitly promise to make a contribution in connection with an election to any political office or in connection with any primary election, convention, or caucus held to select candidates for any political office or for any person to solicit, accept, or receive any such contribution from a foreign national.

The Federal Elections Act defines a foreign principal as a government of a foreign country or a foreign political party; a person outside the United States who is not a citizen; or a partnership, association, corporation, or organization, or other combination of persons organized under the laws of or having its principal base of business in a foreign country.

The loophole in all of that is that foreign-owned corporations and trade associations which are organized under U.S. law and have their principal place of business in the United States are not classified as foreign principals and are, therefore, allowed to operate PACs, even though their control and ownership are foreign in nature.

The principal law governing the disclosure of lobbying by these entities, the Foreign Agents Registration Act, when the GAO studied in 1990 what had been happening, it is that, in fact, disclosure of those activities are very thin.

The GAO found that the lack of timeliness of the filing of reports required under the Foreign Agents Registration Act contributes to the failure to fulfill the Act's goal of providing the public with sufficient information on foreign agents and their activities in this country, including political activities.

As modified, my amendment will not disallow contributions as I had hoped to do in a bill that I had filed earlier, because, frankly, there was opposition to doing that. But it does take the one section of our proposal that will allow us to at least collect the information that we need to understand the impact and the extent of these involvements.

As presently constituted, my amendment would establish within the Federal Election Commission a clearinghouse on that of public information regarding the political activities of foreign principals or their agents.

Currently, public information on these activities is collected by the government in scattered ways. But this information would be brought together in one place and provide the public and Congress a better idea of what is actually going on in regard to foreign lobbying and giving activity.

No one will be required to provide any information that is not already collected but in several disparate places. Nor would anyone be required to provide duplicative information to a new agency.

The responsibility for furnishing the data to the FEC would rest with the agency itself. The clearinghouse will only collect public information already compiled and will provide a comprehensive picture of what political activities are taking place by these foreign interests.

The CHAIRMAN pro tempore. The gentlewoman's time has expired.

MODIFICATION TO AMENDMENT OFFERED BY MS. KAPTUR TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Ms. KAPTUR. Mr. Chairman, I ask unanimous consent to modify the amendment to the amendment in the nature of a substitute in the form at the desk.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Amendment, as modified, offered by Ms. KAPTUR to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. ESTABLISHMENT OF A CLEARINGHOUSE OF INFORMATION ON POLITICAL ACTIVITIES WITHIN THE FEDERAL ELECTION COMMISSION.

(a) ESTABLISHMENT.—There shall be established within the Federal Election Commission a clearinghouse of public information regarding the political activities of foreign principals and agents of foreign principals. The information comprising this clearinghouse shall include only the following:

(1) All registrations and reports filed pursuant to the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) during the preceding 5-year period.

(2) All registrations and reports filed pursuant to the Foreign Agents Registration Act, as amended (22 U.S.C. 611 et seq.), during the preceding 5-year period.

(3) The listings of public hearings, hearing witnesses, and witness affiliations printed in the Congressional Record during the preceding 5-year period.

(4) Public information disclosed pursuant to the rules of the Senate or the House of Representatives regarding honoraria, the receipt of gifts, travel, and earned and unearned income.

(5) All reports filed pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) during the preceding 5-year period.

(6) All public information filed with the Federal Election Commission pursuant to the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) during the preceding 5-year period.

(b) DISCLOSURE OF OTHER INFORMATION PROHIBITED.—The disclosure by the clearinghouse, or any officer or employee thereof, of any information other than that set forth in subsection (a) is prohibited, except as otherwise provided by law.

(c) DIRECTOR OF CLEARINGHOUSE.—

(1) DUTIES.—The clearinghouse shall have a Director, who shall administer and manage the responsibilities and all activities of the clearinghouse. In carrying out such duties, the Director shall—

(A) develop a filing, coding, and cross-indexing system to carry out the purposes of this section (which shall include an index of all persons identified in the reports, registrations, and other information comprising the clearinghouse);

(B) notwithstanding any other provision of law, make copies of registrations, reports, and other information comprising the clearinghouse available for public inspection and copying, beginning not later than 30 days after the information is first available to the public, and permit copying of any such registration, report, or other information by hand or by copying machine or, at the request of any person, furnish a copy of any such registration, report, or other information upon payment of the cost of making and furnishing such copy, except that no information contained in such registration or report and no such other information shall be sold or used by any person for the purpose of soliciting contributions or for any profitmaking purpose; and

(C) not later than 150 days after the date of the enactment of this Act and at any time thereafter, to prescribe, in consultation with the Comptroller General, such rules, regulations, and forms, in conformity with the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of this section in the most effective and efficient manner.

(2) APPOINTMENT.—The Director shall be appointed by the Federal Election Commission.

(3) TERM OF SERVICE.—The Director shall serve a single term of a period of time determined by the Commission, but not to exceed 5 years.

(d) PENALTIES FOR DISCLOSURE OF INFORMATION.—Any person who discloses information in violation of subsection (b), and any person who sells or uses information for the purpose of soliciting contributions or for any profitmaking purpose in violation of subsection (c)(1)(B), shall be imprisoned for a period of not more than 1 year, or fined in the amount provided in title 18, United States Code, or both.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to conduct the activities of the clearinghouse.

(f) Foreign Principal: Foreign principal shall have the same meaning given the term ''foreign national'' in this section (2 U.S.C. 441e), as that term was defined on July 31, 1998. For purpose of this section, the term ''agent of a foreign principal'' shall not include any person organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and that has its principal place of business within the United States.

Ms. KAPTUR (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the gentlewoman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. SHAYS) for 5 minutes.

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

Mr. Chairman, I would just like to state that, first, this is a fairly comprehensive amendment, but we are not sure whether or not it is in conflict with the amendment of the gentleman from Ohio (Mr. GILLMOR).

So what I am going to be suggesting to this Chamber is that we have a vote. I will be voting ''no'' tonight. I will be suggesting that we go over in depth line by line the gentlewoman's amendment to see if it is an amendment that, when we have an actual rollcall vote, it will be one that we can accept or not. Because the gentleman from Ohio (Mr. GILLMOR) is not here tonight, I am uncomfortable in suggesting that it meets the conflict that he had.

The bottom line is that his amendment said that any American citizen had a right to contribute. That was implicit, and that was whether or not they worked for an American company or a foreign company.

Our concern is that a company like, for instance, Chrysler, that now has significant ownership by German interests, that the employee still be allowed to organize a political action committee, still be allowed to contribute, still be allowed to fight for things they think are important for Chrysler and its workers just as the employees of Chrysler, to make sure that we have that same process that the workers have when they organize as well.

I am not passing judgment because we still just are not sure of it.

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

Mrs. KELLY. Mr. Chairman, I want to point out that in my home State of New York nearly 349,000 American citizens work for American subsidiaries of companies headquartered abroad. These are hard-working Americans that are employed by American subsidiaries of companies; and they, I believe, need to have the right to contribute their own money to candidates through employer-based PACs. It is a political right that is granted to all American citizens at this time.

Because we are not certain at this time about whether or not this amendment will change the amendment of the gentleman from Ohio (Mr. GILLMOR), I want to be certain that we have the right to vote on this tomorrow since the gentleman from Ohio (Mr. GILLMOR) is not here.

I believe that the political rights of all Americans should not be determined by where they work. I think it should be determined because they are American citizens. They should not be disenfranchised from the political process.

Mr. SHAYS. Mr. Chairman, may I inquire of the Chair how much time I have remaining?

The CHAIRMAN pro tempore. The gentleman from Connecticut (Mr. SHAYS) has 2½ minutes remaining. The gentlewoman from Ohio (Ms. KAPTUR) has no time remaining.

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

Mr. Chairman, evidently, I have misinterpreted the gentlewoman's amendment. I would like for her to describe what she thinks her amendment does, and I would respond to that.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio (Ms. KAPTUR) to explain what she feels her amendment does and does not do.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman very much for yielding to me and the gentlewoman from New York, because, in consultation with both of them, we substantially scaled back our original amendment. This particular amendment, as modified, that we are offering this evening would only take the clearinghouse section out of the original proposal to collect information from the lobbying disclosure.

Mr. SHAYS. Reclaiming my time, when the gentlewoman says take it out she means she leaves the clearinghouse in and take out the other parts?

Ms. KAPTUR. That is correct. We lift that out and we table the remainder of the bill.

The gentleman was saying and the gentlewoman from New York was saying that Chrysler Corporation employees could not contribute or people

should not be allowed to contribute. We agree that U.S. citizens should be allowed to contribute. This amendment, as modified, has nothing to do with that. All it provides is for disclosure as we do with U.S. contributions that are currently flowing into campaigns.

We are saying that we want to create a clearinghouse at the FEC for all these donations. We will do that by recording existing information from the Lobbying Disclosure Act, from the Foreign Agents Administration.

Mr. SHAYS. If I can reclaim my time, if I can say to the gentlewoman, as the amendment is described, I am comfortable and I think other Members are. I do think it will be healthy to have a vote on this tomorrow. I am not going to oppose it if there is all yeses. I still ask for a rollcall vote. I think it is important for us to sit down with the gentleman from Ohio (Mr. GILLMOR) and others and make sure that we are clear as to our recommended vote to our colleagues when they vote on the floor.

□ 2310

So I am not going to oppose the gentlewoman's amendment. I would suggest we get to a vote, but I will ask for a rollcall vote.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman and gentlewoman for working with us, and we look forward to having the gentleman from Ohio (Mr. GILLMOR) with us very soon here in resolving this.

Mr. SHAYS. Mr. Chairman, we will have a vote on the floor here tomorrow and by then it will be resolved.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The question is on the amendment, as modified, offered by the gentlewoman from Ohio (Ms. KAPTUR) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 442, further proceedings on the amendment, as modified, offered by the gentlewoman from Ohio (Ms. KAPTUR) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) will be postponed.

It is now in order to consider amendment No. 46 offered by the gentleman from Michigan (Mr. SMITH) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS). Is there a designee for Mr. SMITH?

It is now in order to consider amendment No. 47 offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

AMENDMENT OFFERED BY MR. STEARNS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. STEARNS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment to the amendment in the nature of a substitute No. 13 is as follows:

Amendment No. 47 offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS):

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. CONSPIRACY TO VIOLATE PRESIDENTIAL CAMPAIGN SPENDING LIMITS.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(g) PROHIBITING CONSPIRACY TO VIOLATE LIMITS.—

''(1) VIOLATION OF LIMITS DESCRIBED.—If a candidate for election to the office of President or Vice President who receives amounts from the Presidential Election Campaign Fund under chapter 95 or 96 of the Internal Revenue Code of 1986, or the agent of such a candidate, seeks to avoid the spending limits applicable to the candidate under such chapter or under the Federal Election Campaign Act of 1971 by soliciting, receiving, transferring, or directing funds from any source other than such Fund for the direct or indirect benefit of such candidate's campaign, such candidate or agent shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.

''(2) CONSPIRACY TO VIOLATE LIMITS DEFINED.—If two or more persons conspire to violate paragraph (1), and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

The CHAIRMAN pro tempore. Pursuant to the order of the House on Friday, July 17, 1998, the gentleman from Florida (Mr. STEARNS), and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, I rise to offer this amendment because I think after the debate that I had concerning legal aliens, there was some question that came up, and I thought I should attempt to amend, offer an amendment tonight. It sort of rectifies a problem that was raised by the gentleman from Samoa (Mr. FALEOMAVAEGA).

During the debate a couple of weeks ago, this amendment that I sponsored and also the gentleman from New York (Mr. FOSSELLA) sponsored, both of them passed overwhelmingly. But there was something that was in both his amendment and mine that concerned me a bit. My amendment banned all political contributions from Federal, State or local elections from noncitizens, which included resident aliens.

But I realized, Mr. Chairman, during the debate that the gentleman from Samoa had a very valid point about resident aliens who are serving in the military. Such permanent residents may be drafted, as they were in Vietnam and other military actions.

So what I am trying to do tonight is to say okay, if one is serving in the military, I think one should be able to participate.

So frankly, this amendment seeks to rectify the situation with resident aliens who serve in the U.S. military, which includes the reserves.

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. STEARNS. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, does this make them permanent in their status if they served and then leave the service, or do they lose their right to vote after they have left military service?

Mr. STEARNS. Mr. Chairman, if they are in the service for 3 years, they automatically become U.S. citizens.

Mr. FAZIO of California. Mr. Chairman, so in other words, at that point the issue goes away.

Mr. STEARNS. No, Mr. Chairman, but if during that period for 1 or 2 years they are serving in the military, we are saying we will allow them to contribute.

Mr. FAZIO of California. Now, Mr. Chairman, if the gentleman will continue to yield, as I remember the gentleman's comments from that earlier debate, he was also talking about people who were taxpayers, as many legal residents are, who are not citizens.

Mr. STEARNS. Mr. Chairman, I do not remember what I said about taxpayers, other than that I felt that non-U.S. citizens should not be participating, but I think after talking to the gentleman from Samoa, I think if they served in the military or are presently serving in the military, then I think that one should have a chance to vote on this.

Mr. FAZIO of California. Mr. Chairman, if the gentleman will yield further, I certainly do not oppose this. I think it makes a bad proposal less bad, but I understand that the gentleman has the votes on his side, so I certainly will not oppose it. In fact, I encourage him to offer it.

But I do think that when we begin to think about those things that cause us to recognize the contributions of legal residents, we should not just stop with military service; we should think of all of the things they do, including contributing in many other ways, as well as being taxpayers.

Mr. STEARNS. Mr. Chairman, reclaiming my time, I think the amendment is pretty simple and it will pass overwhelmingly. I think my good friend from Samoa had made a good

point, so I am here really to recognize his point and to try to bridge the gap with the two amendments that passed, and I think that is pretty much my argument tonight.

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

Mr. WEYGAND. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Rhode Island (Mr. WEYGAND) is recognized for 5 minutes.

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

Mr. Chairman, really it is a point of clarification, and I would like to yield to the gentleman.

Regarding those that have served in the military, am I to understand that not only those that are presently serving in the military and those that have served 3 years and are out of the military, what about those people who have served a year-and-a-half, 2 years, and perhaps have not reached the 3-year period of time?

Is the gentleman saying that anyone who has served, that is a resident, could contribute to a campaign?

Mr. STEARNS. Mr. Chairman, if the gentleman will yield, if they are serving in the military.

Mr. WEYGAND. Mr. Chairman, presently serving?

Mr. STEARNS. Presently serving, yes.

Mr. WEYGAND. Mr. Chairman, so that if they have served in Vietnam, in Desert Storm, if they have done that, but they are now out of the military, they are not eligible?

Mr. STEARNS. Mr. Chairman, that is correct.

Mr. WEYGAND. Mr. Chairman, I understand the gentleman's effort to try to make some amends, but it would seem to me that whether one is serving presently or one has served in Vietnam and one has provided that service to this country, the motivation for the gentleman's amendment would be indeed to provide some kind of an allowance for someone to contribute to a campaign by way of serving in the military, and I would think if anyone served 5 years ago, 10 years ago or 20 years ago, they would be eligible for the same merits that the gentleman is giving to the people who are presently serving in the military

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. WEYGAND. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, of course, if they served 3 years, then they automatically become U.S. citizens. So we are trying to bridge here a little bit of support.

Mr. WEYGAND. Mr. Chairman, reclaiming my time, I understand what the gentleman is saying, but if someone had served only a year-and-a-half, who was injured and was discharged from the military because of injury or something else and does not qualify for that 3-year citizenship that the gentleman is talking about, and therefore, in that case, may be still not an American citizen, but have served valiantly for this country, perhaps even given part of their body for this country, would now be eligible to contribute to a campaign.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. WEYGAND. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, the gentleman can certainly offer an amendment to change what we have passed here on the House floor, but I think this amendment goes a long way and probably will receive a majority of support.

Mr. WEYGAND. Mr. Chairman, would the gentleman be willing to accept an amendment that would allow for someone who has served in the military, been discharged, to be eligible for this benefit of contributing to a campaign?

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. WEYGAND. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, probably not, just because I am just going to keep this amendment as it stands, but I think certainly the gentleman could offer his own amendment.

Mr. WEYGAND. Mr. Chairman, reclaiming my time, I yield to the gentleman from Massachusetts, (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, I think my colleague makes a very valid point. I thank the gentleman for offering this amendment. Clearly, a member of the Armed Forces or the Armed Forces Reserves should have the right to contribute to a Federal election. Yet I would remind the gentleman that all legal permanent residents have the right to contribute in Federal campaigns, according to the United States Supreme Court.

With this amendment, it seems to me the gentleman is making a value judgment that legal permanent residents who served in the Armed Forces are worthy of first amendment protection because they laid down their lives for this country. But how about those legal permanent residents who are doctors? They save American lives every day. Or how about the legal permanent residents who are the parents of those young men and women who have lost their lives fighting for our country? Should they not also be given the full protection of the first amendment?

I do not object to the gentleman's amendment, but I do want to point out the arbitrary nature of this particular exclusion. This amendment is only necessary because the gentleman, rightly, perceives the inequities of a flat-out ban. The problem is, I could think of many worthy exemptions and exceptions.

There are so many ways that legal permanent residents prove their allegiance to this government and to the United States. Serving in the Armed Forces is only one example. But I certainly would accept the gentleman's amendment, but I think it is important to point out the injustice of just picking out one small group.

Mr. WEYGAND. Mr. Chairman, I yield to gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman I just have a question of how the gentleman would manage this, if the author would so indulge. One is a legal resident of the United States, one is here, the law says one is here.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, a permanent legal alien, not a U.S. citizen.

☐ 2320

Mr. FARR of California. The gentleman is going to check all of this? They are legally here. We do not go around every day trying to check whether someone is here legally. I mean, if they are here legally, they are here legally; right?

Mr. STEARNS. Mr. Chairman, I do not understand the gentleman's argument.

Mr. FARR of California. Mr. Chairman, reclaiming my time, the argument is how does the gentleman intend to enforce this amendment he is making? How do we enforce it? How do we check from campaign contributions? How do we go back to check whether the people are permanent residents, served in the Armed Forces? I mean, just look at the mountain of incredible research that we are going to have to do on everyone.

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume. I do not think it will be hard to do that, because we have Social Security numbers and we could tell quickly and easily who was in the service.

Mr. Chairman, the argument of the gentleman from Rhode Island (Mr. Weygand), he wants to go back to the old argument that some wish to allow legal permanent aliens to contribute, has already been decided. We had a vote; 350 Members voted to do that. And now we have had two other votes, my vote and the vote on the Fossella amendment. In three cases now we have decided that legal permanent aliens should not contribute.

So my point is that I think it is easy to identify. And I think this is a step to try and really help the gentleman's cause by saying instead of ruling out all of them, let the people who are actually serving in the military less than 3 years have an opportunity to do so. And I am surprised that the other side objects to giving the military people an opportunity to contribute.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) will be postponed.

It is now in order to consider the amendment No. 48 offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

AMENDMENT OFFERED BY MR. STEARNS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. STEARNS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 48 offered by Mr. STEARNS to the amendment in the nature a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. PERMITTING PERMANENT RESIDENT ALIENS SERVING IN ARMED FORCES TO MAKE CONTRIBUTIONS.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended by adding at the end the following new subsection:

''(c) Notwithstanding any other provision of this title, an individual who is lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act) and who is a member of the Armed Forces (including a reserve component of the Armed Forces) shall not be subject to the prohibition under this section.''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Florida (Mr. STEARNS), and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, this amendment and the next one are generally just a little bit more clarification. This one goes to the fact that in presidential campaigns, oftentimes the folks who are running for office intentionally, perhaps not realizing it or perhaps they do, intentionally violate campaign spending limits.

So what I try to do in this amendment is to impose criminal penalties. My amendment would immediately close the current loop that I believe has been exploited under the law, which is the Federal Election Campaign Act. There are strict limitations and restrictions on presidential candidates who voluntarily accept, decide to receive public financing for their campaigns. The fundamental tenet of this law is that presidential candidates are eligible to receive funding if they comply with expenditure limits and other restrictions imposed by law.

Mr. Chairman, my amendment attempts to strengthen the law by ensuring that the presidential and vice presidential candidates do not try to evade the limits and restriction under the law by intentionally trying to circumvent these rules.

Of course, the reason, Mr. Chairman, I rise to offer this amendment is that I think myself and others were greatly troubled by the evidence that the Federal Elections Campaign Act was intentionally violated. I think this came out in the hearings in the Senate Committee on Government Affairs when they investigated campaign finance abuses in 1997.

The committee underlined the purpose of the law by reporting, quote ''Under FECA, a presidential candidate who accepts Federal matching funds cannot exceed the applicable expenditure limits for the campaign.'' The intent of this, of course, in providing limited Federal funding is to remove the candidate from the fund-raising process and to prevent the raising of large private contributions.

The deal the taxpayers make with the candidate is that in exchange for their funding, the candidate will foreswear outside money and therefore make it less likely that the election will be influenced or appear to be influenced by big money.

Now the Senate Committee on Government Affairs found a great deal in their report. And, of course, the White House was cited several times. If I may, Mr. Chairman, I would like to report what the committee said.

During the 1996 election cycle, the White House was very close to the DNC and they tried to micromanage it. Harold Ickes, then Deputy Chief of Staff to the President, simply seized the reins of financial power and went about exerting direct control over the DNC's finance division.

Now, this is the type of thing we are trying to stop. I will not go through and read a lot of the testimony in there, because I am not here to point fingers at one side or the other. I am just trying to convince my colleagues of the need to put in place the penalties in this amendment.

Mr. Chairman, I think in short, though, most of us would agree that there were some evidence of collusion here. The purpose of our amendment here is to prevent this. The committee concluded that, ''In the matter before us, the clear purpose of the law was circumvented.'' I mean, that is what they said. That is why I believe we need to protect the Federal Election Campaign Act.

We cannot allow the limits and restrictions in the law to be circumvented while candidates receiving public financing abuse the system in order to gain advantage over their opponent.

So in a sense what we tried to do is do the following: By putting in place that if a candidate or agent seeks to avoid the limits and restrictions by soliciting, receiving, transferring, or directing funds from any source other than the presidential election campaign fund for the direct or indirect benefit of such candidate's campaign, then the candidate, Mr. Chairman, or the agent shall be fined not more than $1 million or imprisoned for a term of not more than 3 years, or both.

So in essence, Mr. Chairman, what I have done is put in a penalty. I think that we have had the history of this, so I urge my colleagues to support it.

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

Mr. MEEHAN. Mr. Chairman, I ask unanimous consent to take the time reserved for anyone opposed to the amendment.

The CHAIRMAN pro tempore. Is the gentleman opposed to the amendment?

Mr. MEEHAN. No, but I would ask to take the time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Massachusetts (Mr. MEEHAN)?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for 5 minutes.

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

Mr. Chairman, this would ban any presidential or vice presidential candidate who receives public funding from raising soft money. While we support the gentleman's position, this amendment is really unnecessary in the context of the Shays-Meehan bill.

Not only does the Shays-Meehan bill ban soft money in Federal elections, but the Shays-Meehan bill expressly prohibits Federal candidates, office holders, and agents of Federal candidates and office holders from soliciting, receiving, directing, transferring or spending soft money on behalf of any other Federal candidates or office holders.

So, the Shays-Meehan bill takes care of exactly what the problems were in the last presidential election on both sides and both parties.

Mr. Chairman, I would ask the gentleman, he had an amendment pass just now. We are going to vote tomorrow. And this amendment I think we are going to agree to. And so certainly the gentleman from Florida, my friend from Florida is getting his amendments passed. Does this mean the gentleman is going to support and join the majority of Members here and support us in passing the Shays-Meehan bill that has such strong bipartisan support? Which, by the way, I have to say in all of the years we have been working on campaign finance reform, my colleague cannot look at any evening and have witnessed any more broad-based, incredible success and support for our legislation than this evening.

Mr. Chairman, I was wondering if the gentleman has decided to join us in our efforts.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. MEEHAN. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, as the gentleman knows, there are a lot more amendments to come. Also, several amendments I voted for today were defeated. I think the Goodlatte amendment is a good example.

So I think this campaign finance bill is still in doubt. I think there are lots of areas that need to be improved, and frankly we have other substitutes and other bills that are going to be offered that I think we should look at.

I think it is premature to talk about that. I would remind the gentleman from Massachusetts that I think what he has to worry about is the executive branch micromanaging either the DNC, or either party.

□ 2330

Mr. MEEHAN. Reclaiming my time, Mr. Chairman, what we on this side and both sides who are fighting for campaign finance reform, what we have to worry about is making sure we get as many votes as we can. I am delighted that we are going to accept a couple of your amendments, but I just want to illustrate the point that ultimately you are not going to support our bill, which is unfortunate. But I will point out, this evening we had several historic votes, broad bipartisan support to defeat poison pill amendments.

I am encouraged, I think my colleagues who are here are encouraged with the tremendous support. We look forward to dealing tomorrow with the remaining amendments and voting yes on those amendments that we are accepting and voting no on those amendments which would destroy the unique and historic bipartisan coalition that we have in support of our legislation.

I look forward to getting through the amendments this evening. We are moving along slowly but surely. I am delighted at how well things are going this evening.

Mr. Chairman, I yield back the balance of my time.

Mr. STEARNS. Mr. Chairman, I yield myself the balance of my time.

Judging from the information given by my colleague, I assume he is supporting my amendment. I think that the idea of putting penalties in place is important. I think the whole idea of the executive branch micromanaging any other area of the campaign financing operations is what we are trying to prevent. I would say to my colleague that I appreciate his support.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment to the amendment in the nature of a substitute was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 49 offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

AMENDMENT OFFERED BY MR. STEARNS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 49 offered by Mr. STEARNS to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. ENFORCEMENT OF SPENDING LIMIT ON PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(A) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No candidate for election to the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless the candidate certifies that the candidate shall not solicit any funds for the purposes of influencing such election, including any funds used for an independent expenditure under the Federal Election Campaign Act of 1971, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Florida (Mr. STEARNS) and a Member opposed, each will control 5 minutes.

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

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

This amendment is similar to the other one except we ask that candidates certify their intent. Let me just read a portion of this so we can clarify it:

No candidate for election to the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund unless the candidate certifies that the candidate shall not solicit any funds for the purpose of influencing such election, including any funds used for an independent expenditure, unless the funds are subject to the limitations, prohibitions and reporting requirements under the law.

The reason I offer this amendment, of course, is that, again, some of the testimony in the Senate hearing that brought forth the clear intent. And so we need to establish that a candidate for President and Vice President will certify that they are going to comply and that they have a full understanding so that they cannot use rigorous, specious logic to say they were not aware.

There was a lot of testimony that came out from Dick Morris, which I have here, and I will, Mr. Chairman, include Dick Morris's testimony as a part of the RECORD so I do not have to read the whole thing.

I just would like to summarize some of the things that he testified to that committee and that is why I think the certification is required.

The President reviewed and modified and approved all advertising copy, reviewed and adjusted and approved media time buys, reviewed and modified polling questions, received briefings on and analyzed polling results.

So the President had significant involvement with the DNC media consultants in the area of polling, advertising, speech writing, legislation strategy and general policy advice.

I think that is, frankly, what the Shays-Meehan bill is trying to prevent. I am hopeful that my colleagues will support this amendment and ask that the candidates who do run for President and Vice President will certify so that they have a full understanding before they go into this what their roles will be.

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

Mr. MEEEHAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for 5 minutes.

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

I think we can support this amendment, although I was a little concerned when you indicated you are going to read into the RECORD some of Dick Morris' words. It makes me a little nervous as to whether or not we really support the amendment.

Everything sounded great until we got to that. I get a little concerned about which statements from Dick Morris were going to be read into the record, but, in any event, we generally support the amendment.

I think that the Shays-Meehan legislation addresses precisely the matter that you are concerned about. I do not know that it does address matters that Dick Morris may be concerned about, but in any event we are delighted to accept the amendment, notwithstanding the statements of Mr. Morris that have been submitted into the RECORD.

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

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

Mr. Chairman, the reason I mentioned Dick Morris was just to give an

example of what occurred, and I think the folks realize that he was the principal advisor to the President and basically they started running these ads that were constantly lauding the President all around the country and his record and running specific issue ads, and the problem was funding those ads.

So I am not categorically going after Mr. Morris or anybody but other than to say this is a clear example of what the committee on the Senate was talking about, which we need to prevent.

The problem of funding these ads got very difficult and where they got the money is where they started to get into the micromanaging. So putting this in the record is important to establish a reason why you support this amendment and why I support this amendment.

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

Mr. MEEHAN. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, the gentleman makes some very good points. I have no idea why the President ever hired Dick Morris to begin with. After so many Republican campaigns, I have no idea why he did hire him. I think when the history books are written, the President will regret ever having hired him.

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

Mr. Chairman, I think Congress needs to strengthen the law by preventing the type of activity that Dick Morris mentioned in his testimony. This type of abuse should be prevented from ever happening again in presidential campaigns, and I urge my colleagues to support the amendment.

The infamous Dick Morris testified to the Committee that,

The President had significant involvement with the DNC media consultants in the areas of polling, advertising, speech-writing, legislation strategy, and general policy advice. The President: (1) reviewed, modified and approved all advertising copy; (2) reviewed, adjusted and approved media time buys; (3) reviewed and modified polling questions; and (4) received briefings on the analyzed polling results.

A significant amount of the polling work the consultants performed for the President ''related to substantive issues in connection with his job as President, but is (also) could be considered political.'' The President wanted to keep total control over the advertising campaign designed by Morris and the DNC media consultants.

The defenders of the President will argue that this is not a violation of the letter of the law under the Federal Election Campaign Act, but this intertwined coordination between the President, his political advisors, and DNC media consultants is certainly a violation of the spirit of the law.

Congress needs to strengthen the law by preventing this type of abuse from happening again during another presidential campaign. I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. MEEHAN. Mr. Chairman, I yield as much time as she may consume to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, a few weeks ago when we were discussing campaign finance abuses, I spent some time on the floor talking about a system that has been developed over time by both parties, where blame really needs to go, to both parties, and change really has to come from both parties.

So I listened with some interest tonight when the gentleman from Florida (Mr. STEARNS) was making his comments, because my recollection is there is, in addition to investigations going on around the Clinton-Gore campaign, there is currently an investigation going on around the Dole-Kemp campaign for their micromanagement of their money and coordination of their efforts in the campaign issues.

So I think what we need to do is to go back to the very place I started several weeks ago, which is we have a campaign system that has been built by both parties that does not work anymore, that has to be changed by people on both parties.

I applaud the fact that the gentleman from Florida (Mr. STEARNS) is now interested in soft money and very interested in making sure that some people in the system do not abuse soft money.

Those of us that are part of the reform group want to make sure that no one in the system abuses soft money, and I would invite the gentleman from Florida to join us in supporting a ban on all soft money, and then we would not have worry about whose words have to be read into the RECORD. Then we would know that no one is going to engage in the kind of behavior that we all find offensive.

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

Mr. Chairman, I would just add on that, there is still a lot of room left on this Shays-Meehan bandwagon, and we would love to have you joining with us in abolishing soft money, sham issue ads, giving the FEC the teeth that they need to enforce the election laws that are on the book.

□ 2340

We are very, very proud of the Members on both sides of the aisle that have demonstrated I think this evening on a number of votes wonderful support, Republicans, Democrats, conservatives, liberals. There is still plenty of room on this bandwagon as we roll to a majority vote by the Members of this body coming early next week. We would encourage the gentleman to join with us on those votes.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS) will be postponed.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 50.

AMENDMENT OFFERED BY MR. WHITFIELD TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. WHITFIELD. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 50 offered by Mr. WHITFIELD to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title I the following new section (and conform the table of contents accordingly):

SEC. 104. INCREASE IN CONTRIBUTION LIMIT FOR CONTRIBUTIONS TO CANDIDATES BY PERSONS OTHER THAN PACS.

Section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended by striking ''$1,000'') and inserting ''$3,000''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from Tennessee (Mr. WAMP) each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume. As we conclude the debate on this important legislation, I have been very pleased with the debate that has been a long and lengthy debate and I think we have covered about every aspect of campaign finance that one can cover. The advocates for campaign finance have talked a lot about special interests. They have talked a lot about sham ads. They have talked a lot about too much money. They have talked about inadequate disclosure. We have said many times, I guess, that special interest depends on who supports you and who does not; and sham ads if you do not like it, maybe it is a sham ad. So those are valid reasons that people have for supporting this legislation.

I have told some people, and I firmly believe this, that one of the unintended consequences of this act is to protect incumbents. The amendment that I am offering is to try to help alleviate the burden that is placed on people running for Congress the first time. I think all of us know that about 80 percent of the political action committee money goes to incumbents. One thing about the Shays-Meehan bill, it does not do anything about the way candidates raise their money or spend their money. It applies only to the way other groups

out in the country spend their money and participate in the political system.

This is a very simple amendment in that it increases the amount that an individual can give a candidate from $1,000 to $3,000. Now, this contribution limit was set in 1974. When you consider inflation, it is worth in today's dollars $325 instead of the $1,000 that was in 1974. But I would ask that Members give some serious thought to this, because, as I said, 80 percent of political action committee money goes to incumbents. All of us know the first time that we ran, it is very difficult to raise the money. If we can increase the amount that an individual can contribute from $1,000 to $3,000, I think it will go a long way in making this a more equitable system, particularly for those very few candidates, one of which may be on the floor this evening, who do not accept political action committee money. This kind of evens the playing field, and that is really my purpose in introducing this amendment.

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

Mr. WAMP. Mr. Chairman, I yield myself such time as I may consume. I may be uniquely qualified to address this amendment because, as the gentleman from Kentucky knows, he and I got here together in early 1995 and within just a few weeks, I had a bill on the floor called the Wamp Congress Act of 1995. I think the gentleman from Kentucky was probably one of my cosponsors, which actually did in fact increase the individual contribution limit. But over the last 4 years as I have worked this body on both sides of the aisle to try to build consensus around this issue of campaign reform, knowing that there were land mines throughout the entire process and knowing that this fundamental system has not been changed since Watergate because there are too many good ways to kill it, I looked for a consensus around a few principles, and that is what we have on the floor tonight represented in Shays-Meehan. That is why I reluctantly oppose the gentleman's amendment. Because there is an intellectual argument to be made for the fact that an individual contribution in 1974 is actually worth about $3,000 today, but the fact is there is not much support in this body for raising individual contribution limits, and none of us can be king for a day. If I were king for a day, I would have my own bill here and it would be much different than what we have. But this process is a process of compromise and consensus. We are looking for a majority, especially a bipartisan majority, so that we can actually accomplish something that has not been accomplished in a generation because there are too many ways to chop the legs out from underneath this particular issue, because this one issue is the issue that is at the heart of whether or not we can stay in power as Members of Congress, and that is why the oldest trick in this business is to put something on the floor and promote it, that then everybody can say, ''Well, I supported that but I didn't support this, therefore, I didn't support final passage'' and we never get reform.

That is why I rise today even though I did support this principle early in my career here, knowing that there is no support here for that, and we cannot add it to this bill because frankly it is one of the things that will sink the boat.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I rise in opposition to this amendment because I cannot understand what is broken and needs fixing. This amendment suggests that there is not enough money in campaigns. This whole debate, this whole process started when we tried to put limits on what candidates running for a seat in Congress would spend in campaigns. They still have that comprehensive bill on the floor. That is the way this bill started out. Nowhere were we going to try to get more money into campaigns. And just to show you that only .1 percent of the American people, about 235 individuals gave contributions of $1,000 or more in 1995 and 1996 to Federal candidates and to PACs and parties that support candidates. Yet this group gave as much money for Federal elections, $638 million, as the millions who gave under $200.

This is not the part of the campaign finance system that is broken and needs fixing, to get more money into the system. In fact, this amendment, as well-intentioned as the author may be on it, is a poison pill. It is opposed by all of those groups that advocated for campaign finance reform, including League of Women Voters, Public Citizen, Common Cause, the U.S. PIRG and others.

I ask my colleagues to oppose this amendment, because it is not going to help get the Shays-Meehan bill passed, and it is not going to help the perception of the American public that we need to have more money and bigger contributions in campaigns.

Mr. WAMP. Mr. Chairman, recognizing that the gentleman from Kentucky has the right to close, I yield the balance of my time to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I just would like to say that Meehan-Shays does three primary things: It bans soft money, the unlimited sums of money that go from individuals, corporations, labor unions and other interest groups; it deals with the sham issue ads and calls them what they should, campaign ads; and it also has FEC enforcement and disclosure.

It does not have a lot of things. We did not deal with issues that some Members would like us to deal with, in-state, out-of-state. It does not deal with motor voter and Voter Rights Act. There are a number of things we do not do. We do not deal maybe with the need to increase PAC contributions or individual contributions but this only limits and allows individual contributions to be increased, and I would oppose it.

Mr. WHITFIELD. Mr. Chairman, I yield myself the balance of my time. I want to quote Justice Thurgood Marshall whom I do not think anyone could say is a very conservative judge, but in Buckley v. Valeo he said, ''One of the points on which all Members of the Court agree is that money is essential to effective communication in a political campaign.''

□ 2250

And we do live in a world where it costs a lot of money to buy TV ads, to buy newspaper ads, to buy radio ads, and I guess I am not surprised that incumbents would not support this because it would be easier for opponents to raise money if they raised the amount that an individual can give.

And we talked about the groups that supported Shays-Meehan, and one of those groups is Public Campaign that has been running newspaper ads in my district against me for the last day or two and also in the Washington Post; and, as I said earlier, I did not particularly like it, but I think they have a right to do that. That is an issue ad in my view. I think they have a right to do that, but they really pounded me because they said, ''Ed Whitfield is trying to triple the amount of money that an individual can give,'' and yet I find it quite ironic that one of their largest contributors is a guy named Mr. Solls, who is one of the wealthiest men in the world. He contributes heavily to them.

So I guess that sometimes it just depends upon who gives the money, but I think that we are doing a great disservice to our political system if we prevent individuals from giving up to $3,000 to candidates that they have confidence in, that they believe in and they want to support, particularly when they know that challengers are not going to receive political action committee money.

So I would urge the adoption of this amendment.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). All time has expired.

The question is on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS.)

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

Mr. WHITFIELD. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS will be postponed.

It is now in order to consider Amendment No. 51 offered by the gentleman from Kentucky (Mr. WHITFIELD).

AMENDMENT OFFERED BY MR. WHITFIELD TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. WHITFIELD. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment offered by Mr. WHITFIELD to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Amend section 301(20)(A) of the Federal Election Campaign Act of 1971, as added by section 201(b) of the substitute, to read as follows:

''(A) IN GENERAL.—The term 'express advocacy' means a communication that advocates the election or defeat of a candidate by containing a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', '(name of candidate) in 1997', 'vote against', 'defeat', 'reject'.''

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Kentucky (Mr. WHITFIELD) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD).

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

Mr. Chairman, this amendment simply defines ''express advocacy'' using the exact terms that the Supreme Court has used repeatedly in defining express advocacy. This issue goes to the very core, the very heart, of what this debate is about because the Shays-Meehan bill expands the definition of ''express advocacy''. And when we expand the definition of ''express advocacy,'' we automatically increase the opportunities for hard money to be spent and decrease the opportunities for individuals to spend money who do not have political action committees, who have not hired lawyers to file all the reports with the FEC, and I think it is going to be a chilling effect upon the participation and the political system.

Now Shays-Meehan expands the definition in a number of ways way beyond what the Supreme Court has said. One way that they do it is they say if an ad refers to one or more clearly-identified candidates in a paid advertisement that is broadcast by a radio broadcast station or a television broadcast station within 60 calendar days preceding the date of an election of the candidate, that that is express advocacy. And in essence what they are doing here at a time when people focus on political campaigns, as we get closer to the election, people focus on it, and that is when we have groups like the Sierra Club, the Right to Life, Prochoice, labor unions; all these groups take out ads, and they talk about voting records of candidates as you get within 60 days of an election.

Under this bill, they will not be able to run those ads unless they had raised the money under the hard money rules. In other words, they would be totally caught up in the rules of the Federal Election Commission. They would have to meet all the requirements of the Federal Election Commission, have to meet all of the limits, all of the financial disclosures. And the courts have repeatedly said that that is a very chilling effect on the participation of people in the political process, and the courts have repeatedly said that the very core of our system is to allow participation, and this definition explicitly makes it more difficult to participate.

And the thing that I find the most troubling about it in this particular section is that when we get down to the end of the campaign, the only people that are going to be talking about these campaigns are the candidates themselves, the money that they spend for our ads. Then we are going to have political action committees, that they can buy ads, and then we are going to have the news media doing editorials on who they support.

But the mass of people out there who belong to organizations, they are not going to have much say-so unless they want to go through all of this trouble, all of this burden of forming a political action committee, raising money, hiring lawyers, filing reports and so forth.

So I am very disappointed, I am extremely disappointed, in the way they expand the definition of ''express advocacy,'' and my amendment simply brings it down to precisely what the Supreme Court has said: a bright line test so there is no question about what is and what is not express advocacy.

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

Mr. CAMPBELL. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN pro tempore. Is the gentleman opposed to the amendment?

Mr. CAMPBELL. I am.

The CHAIRMAN pro tempore. The gentleman from California (Mr. CAMPBELL) is recognized for 5 minutes.

Mr. CAMPBELL. Mr. Chairman, the words kill. It is the spirit that giveth life. The Scriptural reference applies to this part of the bill.

My good dear friend from Kentucky has given us the words, and he says that all that may be condemned are those ads which are so explicit in using words that they qualify in his definition as express advocacy. But what about the spirit that giveth life? What about ads that, in every other meaning, affect intent, purpose, are an express advocacy ad, but they are clever enough not to use the word ''vote for'' or ''vote against?''

This kind of abuse has been documented so many times in this debate that it is unnecessary to go too much into detail, but I refer all of my colleagues to the examples that have been raised regarding such comments as President Bill Clinton has done these wonderful things, but we do not at the end say ''Vote for President Bill Clinton.'' Senator Bob Dole has done these wonderful things, great American, but at the end we do not say ''Vote for Bob Dole.''

It is the most gravid interpretation of campaign advocacy to say that only those ads that actually use the word ''vote for'' or ''vote against'' are express advocacy.

Second point: The gentleman intentionally strikes from this bill the prohibition on using undisclosed money, money from whom no one knows the source for advertisements that mention the name of the candidate on radio and television in the last 60 days of a campaign.

What is wrong with disclosure? Our good friend and colleague argues that disclosure chills. Not at all. In other contexts those who have been advocating against the Shays-Meehan bill have said all we need is disclosure. Indeed that was the view of many of our colleagues.

The Supreme Court's interpretations of disclosure certainly have identified the concern about membership in NAACP, for example, at a time when that civil rights group was under a great degree of strain in our country but have never said that it is chilling for the American people to know what source of money puts an ad on 60 days before the election using the name of the candidate and hiding the identity of the donor.

□ 2400

Yet that would be struck by the proposal of our good friend, the gentleman from Kentucky.

The Supreme Court has actually opined in an area very close to this in the matter before us, in Massachusetts Committee For Life. In Massachusetts Committee For Life, the Supreme Court says that publication at issue there, quote, ''cannot be regarded as a mere discussion of public issues that, by their nature, raise the names of certain politicians. Rather, it provides, in effect, an explicit directive for these named candidates. The fact that this message is marginally less direct than 'vote for Smith' does not change its essential nature.'' End quote.

The Supreme Court has told us it is the spirit that giveth life when the words can kill. We have heard this argument many times. At this point, it is appropriate, I think, to recognize the fundamental difference between people of goodwill.

I have the highest regard for the gentleman from Kentucky. He is sincere. He would not make the campaign finance reform that is needed, the campaign finance reform that is at the heart of Shays-Meehan, and that is that the American people know who is paying for ads that are campaign ads in every sense.

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

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL. Mr. Chairman, will the Chair tell me how much time I have remaining?

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The gentleman from California (Mr. CAMPBELL) has 1 minute remaining.

Mr. CAMPBELL. Mr. Chairman, I am pleased to yield such time as he may consume to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, I have been reading the gentleman's amendment, and I think that I can come up with a number of phrases that would apparently be permitted but which, under his amendment, would be very questionable.

Think of words like ''Think Joe Smith'' or ''Joe Smith thinks about our Nation's future every day'' or ''Joe Smith, the 1st District's Congressman'' or on the crime theme, ''Joe Smith voted yes on the crime bill,'' ''Joe Smith was sponsor of the crime bill,'' ''Joe Smith is tough on crime.''

All of these would be passing muster under the amendment that the gentleman from Kentucky offers. I think that they all have a clear purpose and intent. But under this amendment, they would be permitted.

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, all that we ask is that we know who is paying for these ads, not that they be stopped.

Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Chairman, I admire the gentleman from Kentucky (Mr. WHITFIELD) for his persistence. This is the sixth, seventh time. Do we have to beat him again?

The CHAIRMAN pro tempore. The gentleman's time is expired.

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

Mr. Chairman, first of all, we keep talking about disclosure. As I said before, when the labor unions ran ads against me last time on television, every ad said ''Paid for by AFL-CIO.'' The Federal Communication Commission requires that on television that we know who pays for these ads.

It is interesting the public campaign group is running these ads all over the country right now. We do not really know who pays for those ads either, but they have a right to do it.

In closing, I would simply say the third expansion of express advocacy in this bill has already explicitly been declared unconstitutional by the Supreme Court in FEC versus Maine Right To Life. The exact wording is in here, already been declared unconstitutional.

I just think it is a shame that we spend this much time on a bill that most people that have reviewed it, that have taken cases to the Supreme Court, say will be declared unconstitutional. Also, I think it shows very clearly that this really is an incumbent protection act. I would ask for the adoption of my amendment.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

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

Mr. WHITFIELD. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) will be postponed.

It is now in order to consider Amendment No. 52 offered by the gentleman from Pennsylvania (Mr. ENGLISH).

AMENDMENT OFFERED BY MR. ENGLISH OF PENNSYLVANIA TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGLISH of Pennsylvania to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. PROHIBITING BUNDLING OF CONTRIBUTIONS.

Section 315(a)(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read as follows:

''(8) No person may make a contribution through an intermediary or conduit, except that a person may facilitate a contribution by providing—

''(A) advice to another person as to how the other person may make a contribution; and

''(B) addressed mailing material or similar items to another person for use by the other person in making a contribution.''.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Pennsylvania (Mr. ENGLISH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

I rise to offer an amendment that speaks to an issue fundamental to campaign finance reform, one that would close a gaping loophole in the existing campaign laws through which a torrent of special interest cash has poured in every recent election.

My amendment is a basic reform of the current system and something that the Shays-Meehan substitute unfortunately does not address.

Bundling is the process by which special interest groups solicit funds from donors around the country and then deliver the money in large bundles. It is a way of avoiding limits on donations to campaigns.

The Center for Responsive Politics identified at least 32 bundles in excess of $20,000 that went to House Members during the 1994 election cycle. The center surveying this practice wrote that bundling is ''as predictable as the sunrise.'' This practice undermines the whole established structure of campaign finance.

My amendment simply states that intermediaries cannot engage in this practice. They can only provide advice to individuals about making a contribution.

In the past, opposition to bundling was close to a consensus issue among supporters of campaign finance reform. In the past, most campaign finance reform proposals have included some kind of antibundling language; indeed, earlier versions of Shays-Meehan included bundling restrictions.

I urge my colleagues to vote in favor of this amendment, to close this terrible conduit for cash.

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

Ms. DELAURO. Mr. Chairman, I ask unanimous consent to claim the 5 minutes.

The CHAIRMAN pro tempore. Is the gentlewoman opposed to the amendment?

Ms. DELAURO. Yes, I am.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO) for 5 minutes.

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

I rise in strong opposition to the English amendment. Three years ago when campaign finance reformers started out to change the American election system, our goal was to try to increase the number of participants in the political process and to take elections out of the hands of the big-money special interests.

This amendment would, in fact, do just the opposite. It would rob Americans of an essential tool in leveling the political playing field. It effectively prevents bundling, which lets ordinary Americans with limited resources pool their funds together into a single contribution and put themselves on equal footing with the more well-heeled political interests. It also would allow corporate officers to host campaign functions for candidates and collect checks.

I give you an example of women in politics. Today, thanks to coordinated grassroots efforts, over 45,000 members of EMILY'S List, who on average have contributed less than $100 per candidate, they had an opportunity to triple the number of women who serve in this body.

There is EMILY'S list on the Democratic side of the aisle. There is a group called Wish List on the Republican side of the aisle which, in fact, is looking at how we, in fact, change the face of the Congress and bring new people into the process and bring women, women of color into the process in this body. That has been accomplished by these groups.

The ability to pool political donations helps put average Americans on equal footing with the wealthiest of interests. This benefits everyone, regardless of what side of the political spectrum we may fall, self-employed men and women who sell Amway products, local environmentalists who participate in the League of Conservation Voters. I mentioned Wish List, the National Jewish Democratic Council, Council for a Livable World.

The English amendment cripples such organizations. It prevents ordinary voters from uniting together as significant political forces. What we want to do is to get more people in the process, not less people. The English amendment would cripple that process.

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

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I am prepared to close.

The CHAIRMAN pro tempore. The gentleman has the right to close.

Ms. DELAURO. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentlewoman has 2½ minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, I found it very interesting to hear the comments from the gentleman from Pennsylvania because I was very concerned when this came forward about what evil was trying to be remedied by this particular amendment.

What the gentleman had to say does not square with my personal experience and my understanding of this system of contributing to campaigns. Number one, these are small donors, small donations. EMILY'S List, for example, has 45,000 members from all 50 States, and they have made an average contribution of less than $100 per time.

There is no ability to exceed campaign limits. All individual limits are counted in the aggregate. For any individual donor anywhere in the country, they cannot exceed the campaign limits put in place on any other donor. It simply is not true.

The other thing is that all of this money is fully disclosed twice, once when the donation is made to the bundling organization and secondly when the candidate receives it. So any individual who is interested in following this money can do to a much greater degree than any other campaign contributions that a candidate will get.

□ 0010

Again, I have to say, what is the evil that is to be remedied by this, unless, of course, that there are more women in Congress.

Ms. DELAURO. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The gentlewoman from Connecticut (Ms. DELAURO) has 1½ minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Chairman, I thank my friend for yielding.

I think if we look at this amendment, it is obviously flawed in one sense, and that is that it only covers hard dollars. Triad Management is an organization that has gone out and organized all kinds of soft money bundling activities, including an entity called Citizens for the Republic Education Fund, which gave $2 million in the final weeks of the 1996 campaign to Republican candidates in targeted races all across the country. One of them happened to be, by the way, the gentleman from Pennsylvania (Mr. ENGLISH).

I am wondering why this amendment is directed only at small donors, largely, who are contributing through processes we have just heard described as hard dollars, to the campaigns of candidates. We ought to be attacking soft dollars that are flowing in, bundled by organizations outside the political structure in theory, but in reality tied directly into the political parties, the kinds of campaign expenditures that have benefited many of the Members who now oppose this bill and oppose the soft money ban included in it.

Mr. Chairman, I would be much more respectful of this amendment if it were broadly based and took on all the problems of bundling. This one is targeted to kill this bill and perpetuate a soft money political system.

Ms. DELAURO. Mr. Chairman, this amendment truly does cripple organizations, organizations that mobilize thousands of men and women behind issues that they care about. It prevents average people from getting together as a political force. Again, this benefits all sides of the spectrum. We are not talking about narrowly defining this effort. Why we want to, instead of expanding the opportunity for people to participate, to narrow these efforts, and ''do in,'' if you will, the ability in terms of full disclosure. What we need to do, as my colleagues have said, is we need to ban the soft money, and bring participation in the political process back home to the American people.

The CHAIRMAN pro tempore. The time of the gentlewoman from Connecticut (Ms. DELAURO) has expired.

The gentleman from Pennsylvania (Mr. ENGLISH) is recognized.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore. The gentleman from Pennsylvania (Mr. ENGLISH) has 3 minutes remaining.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield myself the balance of my time.

I was curious to listen to some of the arguments on the other side. They are kind of fascinating to me, because, Mr. Chairman, I served as the first chief of staff for the first woman to ever serve in the Republican Conference in the Pennsylvania Senate. I do not think anyone on the floor of this House has a stronger record than I do of promoting women in high office, and I can tell my colleagues, my old boss got elected at the age of 28 to a State Senate seat half the size of a congressional seat, on a shoestring and without bundling.

It is ridiculous to argue that bundling somehow has something to do with few women being in Congress. Quite the contrary. Bundling favors incumbents, and women as challengers would benefit from the reduction in the practice of bundling.

In the past, the authors of this substitute have opposed the practice of bundling. Unfortunately, tonight they have chosen to support this widely acknowledged abuse by opposing this amendment, along with many other worthy amendments necessary to perfect this substitute and restore balance to this campaign finance reform proposal.

For those of my colleagues who in the past have supported legislation that included anti-bundling provisions, including the Farr legislation, including the earlier Shays-Meehan legislation, my colleagues are already on record opposing bundling. Do not flip-flop tonight.

Remember, instead, the statement of Common Cause, which, as of today was printed on their Web site, and I quote: ''Bundling, thus, is harmful because it is a way around the contributional limits for both individuals and PACs. It allows individuals and PACs to get credit from candidates for delivering the kind of big money that the contribution limits are intended to deter.''

Mr. Chairman, this amendment is fundamental reform and it is fundamental to perfecting this legislation. I urge any Member who is serious about campaign finance reform to support it. It is the right thing to do. I urge a ''yes'' vote on the English amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ENGLISH) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

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

RECORDED VOTE

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 442, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. ENGLISH) to the amendment in the nature of a substitute No. 13 offered by

the gentleman from Connecticut (Mr. SHAYS) will be postponed.

It is now in order to consider amendment No. 53 offered by the gentleman from Pennsylvania (Mr. GEKAS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

AMENDMENT OFFERED BY MR. GEKAS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. GEKAS. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment offered by Mr. GEKAS to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, and 507, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 326. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST.—Interest earned on amounts in the escrow account established under subparagraph (A) shall be applied or used for the same purposes as the donation or contribution on which it is earned.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to believe that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts require for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 326, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 301 of such Act (2 U.S.C. 431), as amended by sections 201(b) and 307(b), is further amended by adding at the end the following:

''(22) DONATION.—The term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in paragraph (8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 326.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 326 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Friday, July 17, 1998, the gentleman from Pennsylvania (Mr. GEKAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Mr. Chairman, I have discussed this amendment with the gentleman from Connecticut (Mr. SHAYS) and with some representatives of the collaborators on the Democrat side in this venture. This is an amendment that simply states that when a political party, for instance, discovers all of a sudden that it has in its hands let us say $100,000 which it knows has an illegal source, my amendment would compel that organization to turn that money over to the FEC for a transitional position in which the FEC would determine the source, the nature of the illegality, and to see whether or not the IRS or the Attorney General or some law enforcement agency should be brought into the picture before that money is returned to the donor, as is the practice now. This would go a long way in bolstering our confidence that some illegal foreign source or some drug dealer who contributes grand sums of monies to a political party does not get the benefit twice, first of getting favor from a political party to which he makes a donation, and then when it is declared illegal, he gets the money back; he sort of launders his own money, as it were.

What we would accomplish with my amendment would be to have a scrutiny placed upon that money before, and it may still be returned, before it be returned to the donor when it is found to be illegal. That is the simple text of my amendment.

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

Mr. SHAYS. Mr. Chairman, I ask unanimous consent to control the 5 minutes, since I do support the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

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

We are concluding debate on all of the amendments that have come before us, and I think it is almost symbolic to have an amendment offered by the gentleman from Pennsylvania (Mr. GEKAS), and I appreciate him waiting so late to offer it, an amendment that I think we can support.

It makes logical sense that if money that was donated was not donated

properly and may not be that individual's money, it should not be returned to that individual, it should be rushed to the FEC to determine whose money it is and if it properly should be returned, and so I compliment the gentleman on his amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MEEHAN.)

Mr. MEEHAN. Mr. Chairman, this is an amendment that would require the FEC to expend its resources on investigating potentially a minor violation at the expense of focusing some of its time on other resources.

I would just point out that I support the amendment, but I am a little concerned about the resources of the FEC, and I would hope that as we look down the road when we give the FEC more responsibility that requires them, for example, in this case to keep track of these contributions, I hope that in the future we look to try to give the FEC not only the teeth it needs, but the resources that they need in order to do their job and keep the laws that are on the books and enforce the laws that will be on the books.

□ 0020

So, I certainly support the gentleman's amendment and would like all of us to keep in mind the importance of fully funding the FEC in the future so that they can do not only their job on this amendment, but their job in other amendments and enforcing the laws that are on the books.

Mr. GEKAS. Mr. Chairman, I do not care to offer any more debate, but we do need to do an amendment process to conform the text to the sections that are outlined in Shays-Meehan.

Mr. SHAYS. Mr. Chairman, I reserve the balance of my time.

MODIFICATION TO AMENDMENT NO. 53 OFFERED BY MR. GEKAS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. GEKAS. Mr. Speaker, I ask unanimous consent to modify my amendment pursuant to form A, which is at the desk.

The CHAIRMAN pro tempore (Mr. SNOWBARGER). The Clerk will report the modification to the amendment offered by the gentleman from Pennsylvania (Mr. GEKAS).

The Clerk read as follows:

Modification to amendment No. 53 offered by Mr. GEKAS to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Strike the phrase ''section 315, 316, 317, 319, or 320'' and insert in lieu thereof the phrase ''section 315, 316, 317, 319, 320, or 325'' in the one place where the former phrase appears in my amendment.

Mr. GEKAS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CAMPBELL. Mr. Chairman, reserving the right to object, I yield to the gentleman from Pennsylvania (Mr. GEKAS) to explain his modification.

Mr. GEKAS. Mr. Chairman, what we are trying to do here is to offer an alteration to the amendment so it will conform to the Shays-Meehan substitute new ban on contributions by minors which is already in the text. And we are trying to fit it in so that it will make sense.

Mr. CAMPBELL. Mr. Chairman, reclaiming my time, I appreciate the gentleman's explanation. I was yielding to give him a chance to explain if he wanted.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

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

Mr. Chairman, I understand the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS) are willing to accept the amendment. If that is the case, I will not ask for a recorded vote. I accept their acceptance, and they may accept the acceptance that I accept the acceptance.

Mr. MEEHAN. Mr. Chairman, if the gentleman would yield, there is a lot of acceptance here. And we will accept the gentleman's support on the final version of Shays-Meehan when we vote on it Monday night. We will accept the gentleman's support.

MODIFICATION TO AMENDMENT NO. 53 OFFERED BY MR. GEKAS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

Mr. GEKAS. Mr. Chairman, I ask unanimous consent that my amendment be modified pursuant to form B, which is at the desk, which is another conforming amendment to the Shays-Meehan language.

The CHAIRMAN pro tempore. The Clerk will report second modification to the amendment offered by the gentleman from Pennsylvania (Mr. GEKAS).

The Clerk read as follows:

Modification to amendment No. 53 offered by Mr. GEKAS to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Strike the phrase ''reason to believe'' and replace it with the phrase ''reason to investigate whether'' in the one place where the former phrase appears in the amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania (Mr. GEKAS)?

Mr. CAMPBELL. Mr. Chairman, reserving the right to object, I yield to the gentleman from Pennsylvania (Mr. GEKAS) if he wishes to explain any further.

Mr. GEKAS. Mr. Chairman, I thank the gentleman from California (Mr. CAMPBELL) for yielding to me.

Mr. Chairman, what we are trying to do is to substitute the language that would give the Federal Elections Commission authority to investigate. To actually say ''reason to investigate'' whether or not something has happened, rather than what is now in the text, ''reason to believe.''

Mr. CAMPBELL. Mr. Chairman, I thank the gentleman from Pennsylvania for his explanation, and I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

Mr. SHAYS. Mr. Chairman, I yield back the balance of my time.

Mr. GEKAS. Mr. Chairman, with that we appear to accept everything, and I yield back the balance of my time

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Pennsylvania (Mr. GEKAS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment, as modified, to the amendment in the nature of a substitute was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider the amendment No. 54 offered by the gentleman from Florida (Mr. MILLER).

It is now in order to consider the amendment No. 55 offered by the gentleman from California (Mr. DOOLITTLE).

Mr. FAWELL. Mr. Chairman, I rise in opposition to Section 501 of the Shays substitute amendment to H.R. 2183, the Bipartisan Campaign Integrity Act. Section 501, entitle ''Codification of Beck Decision,'' does nothing to correct the current injustices in our federal labor law relating to the unions' use of their members hard-earned paychecks for political and other purposes.

The Shays amendment is not a codification of the Supreme Court's 1988 Beck decision relating to the use of union dues. First, Section 501 provides absolutely no notice of rights to members of the union—it applies only to non-members. Second, Section 501 redefines the dues payments that may be objected to, by limiting such to ''expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.'' This definition not only infers that there may be other types of political expenditures to which workers cannot object—but it also ignores Beck's holding that workers may object to any dues payments for any union activities not directly related to collective bargaining activities.

Mr. Chairman, if Congress is truly going to try to deal with the issue of organized labor taking dues money from rank-and-file members laboring under a union security agreement—taking it without their permission and spending it on causes and activities with which the workers disagree—then let us really deal with it. Mr. SHAYS' amendment is a fig leaf which falls woefully short of covering the problem.

The Shays amendment codifies a broken system that allows unions to raid workers' wallets, forces workers to resign from the union,

requires workers to object—after the fact—to their money being removed from their paycheck, and then requires workers to wait for the union to rebate those funds, if they get around to doing so.

As Chairman of the Subcommittee on Employer-Employee Relations, I have held six hearings on this issue in the past four years. In each one, the Subcommittee has heard from worker after worker telling us about the one thing they wanted from their union—the basic respect of being asked for permission before the union spent their money for purposes unrelated to labor-management obligations. Yes, most of these employees were upset over finding out their head-earned dollars were being funneled into political causes or candidates they did not support. However, these employees supported their union and still overwhelmingly believe in the value of organized labor. A number of them were stewards in their union. All they want is to be able to give their consent before their union spends their money on activities which fall outside collective bargaining activities and which subvert their deeply held ideas and convictions.

As our six hearings demonstrated, individuals attempting to exercise their rights under current law often face incredible burdens, including harassment, coercion, and intimidation. The current system is badly broken and it is Congress' responsibility to fix it—not to legitimize it by adopoting the Shays amendment. I urge Members to join me in opposing Section 501's sugar-coated placebo and enact meaningful reform on behalf of union workers.

Mr. THOMPSON. Mr. Chairman, I rise in strong opposition to the amendment by Representative ROGER WICKER. Much like the standard bearers to long dead civilizations, Representative WICKER's amendment illustrates the same antiquated belief that there should be hurdles that citizens must clear in order to exercise their Constitutionally guaranteed right to vote. Land owners. Male. Caucasian. One by one the spirits of freedom and democracy have worked against other misguided attempts to disenfranchise certain American voters, and it is my hope that they will prevail here today.

There is an old saying that states, ''Those who cannot remember the past are condemned to repeat it.''

Well, Mr. Speaker I remember.

I remember the days when African Americans in Mississippi sat cowering in their homes on election day because they were too afraid to go to the polls.

I remember when men like Medgar Evers and Vernon Dahmer were murdered in cold blood because they realized the importance of voting and tried to impress their convictions onto other African Americans in Mississippi.

I remember the two youths wounded by shotgun blasts fired through the window of a home in Ruleville, Mississippi where they were planning ways to register blacks to vote.

I remember the dead bodies of three civil rights workers, who had been trying to register blacks to vote, being discovered on a farm near Philadelphia, Mississippi.

I remember James Meredith being wounded by a white sniper as he walked in a voter registration march from Memphis to Jackson.

I remember poll taxes and literacy tests.

Mr. Speaker I remember voter intimidation and have fought long and hard against it. This debate belongs in 1960's not in 1998, and it is time to bury ideas like Representative WICKER's in the same grave with separate drinking fountains and making blacks sit at the back of the bus. This legislation is simply another attempt to appeal to mainstream sensibilities while ignoring the realistic and historically based fears of Black Americans.

Having both grown up in Mississippi, Representative WICKER and I obviously have had universally different experiences, but the things I remember make it impossible for me to support this amendment. It would be a slap in the face of the civil rights pioneers who risked their lives, were beaten and murdered in cold blood to protect both my right to vote and Representative WICKER's.

Mr. SHAYS. Mr. Chairman, may I be clear that all amendment have been dealt with under Shays-Meehan?

The CHAIRMAN pro tempore. That is the Chair's understanding.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GEKAS) having assumed the chair, Mr. SNOWBARGER, Chairman pro tempore 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.

COMMUNICATION FROM HONORABLE JOHN A. BOEHNER, MEMBER OF CONGRESS

The Speaker pro tempore laid before the House the following communication from JOHN A. BOEHNER, Member of Congress:

WASHINGTON, DC, *July 28, 1998.*

Hon. NEWT GINGRICH,
Speaker of the House,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to L. Deschler, 3 *Deschler's Precedents of the United States House of Representatives* ch 11, §14.8 (1963), that I have been served with an administrative subpoena issued by the Federal Election Commission.

Sincerely,

JOHN A. BOEHNER.

COMMUNICATION FROM STAFF MEMBER OF HONORABLE JOHN A. BOEHNER, MEMBER OF CONGRESS

The Speaker pro tempore laid before the House the following communication from Barry Jackson, staff member of the Honorable JOHN A. BOEHNER, Member of Congress:

WASHINGTON, DC, *July 28, 1998.*

Hon. NEWT GINGRICH,
Speaker of the House,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to L. Deschler, 3 *Deschler's Precedents of the United States House of Representatives* ch. 11 §14.8 (1963), that I have been served with an administrative subpoena issued by the Federal Election Commission.

Sincerely,

BARRY JACKSON.

GENERAL LEAVE

Mr. METCALF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4237.

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

There was no objection.

COMMITTEE ON HOUSE OVERSIGHT, COMMITTEE ORDER NO. 42, UNIFICATION OF THE MEMBERS' REPRESENTATIONAL ALLOWANCE ADOPTED ON JULY 30, 1998

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. THOMAS) is recognized for 5 minutes.

Mr. THOMAS. Mr. Speaker. I submit a committee order from the Committee on House Oversight.

Resolved, That pursuant to 2 U.S.C. §57 and 2 U.S.C. §59e, the Committee hereby orders that:

SEC. 1. Effective January 3, 1999 the amount available within the Members' Representational Allowance for franked mail with respect to a session of Congress shall not be limited by subsection (b) of Committee Order No. 41.

SEC. 2. The Committee on House Oversight shall have the authority to prescribe regulations to carry out this resolution.