SENATE—*Tuesday, October 7, 1997*

The Senate met at 10:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, the Reverend C. Edward Pruitt, Burke United Methodist Church, Burke, VA. Dr. Pruitt, we are pleased to have you with us.

PRAYER

The guest Chaplain, Rev. Dr. C. Edward Pruitt, Burke United Methodist Church, Burke, VA, offered the following prayer:

Let us pray.

God of all creation, Who has made of one blood all the nations of the world to dwell on this Earth, help us to live as brothers and sisters. May we have love, compassion, and concern for one another knowing that when one of us suffers, we all suffer.

On this day, O God, we pray for the peacemakers of our world as they fly from Washington to the Middle East, from the United Nations to Bosnia, and to all parts of our war-torn world. They carry with them their briefcases and a deep desire for peace among the peoples of the Earth. Hear our prayer for these peacekeepers and leaders who long for peace but don't yet know how to find that peace. Give them Your guidance, Your wisdom, and commitment, O God.

And now we ask Your special blessings and guidance upon the Members of this Senate body as they seek Your will for America and the world. In their deliberations, give them hospitality, friendliness, and humor, and may what they say and do on this day make a real difference in our world.

Bring life to our spirits and a sense of joy to our living. May Your will be done in our lives, our country, and our world. We pray in humbleness and thanksgiving. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

Mr. GREGG. Mr. President, I yield to the Senator from Virginia for a brief comment relative to the opening prayer.

Mr. WARNER. I thank the leader.

THE GUEST CHAPLAIN

Mr. WARNER. Mr. President, it is my privilege to recognize this morning the Reverend C. Edward Pruitt as our guest Chaplain for today. We particularly welcome his words of assurance to give strength to all of us in the discharge of our duties.

Reverend Pruitt serves as the pastor of the Burke United Methodist Church in the Commonwealth of Virginia. He has been in that post for 3 years and has ministered to the people of Virginia and Maryland for the past 30 years in his distinguished career. A graduate from the Wesley Theological Seminary here in Washington, Reverend Pruitt has a very unique background.

If one detected a slight accent in the Reverend Pruitt's words this morning, it might be because he grew up as a waterman's son—that's a fisherman's son—on the small island named Tangier in the middle of the Chesapeake Bay. Here the islanders still speak with great pride with a lingering trace of the Elizabethan English dialog, reflecting the historic settlement of that island by the English Captain John Smith in 1608.

I do not know how many of my colleagues know that Tangier Island in Virginia exists, but it does. I have been privileged to be there many times. It is noted for one other thing: There is not a single automobile for transportation.

Again, we welcome Reverend Pruitt, and the Senate is particularly grateful to Bill Hoagland, chief of staff to the Republican Senate side of the Budget Committee for bringing to the attention of the President pro tempore and the leadership the availability of this distinguished pastor.

Thank you. I yield the floor.

SCHEDULE

Mr. GREGG. Mr. President, this morning, the Senate will be in a period for morning business until 12:30 p.m. At 12:30 p.m., the Senate will recess for the policy luncheons to meet until 2:15 p.m. When the Senate reconvenes at 2:15 p.m., the Senate will proceed to a cloture vote on the paycheck protection amendment currently pending to S. 25, the campaign finance reform bill. If cloture is not invoked on the amendment, the Senate will proceed to a cloture vote on the campaign finance reform bill itself. If cloture is not invoked on the bill, the Senate could resume the D.C. appropriations bill for the consideration of the remaining issues to that appropriations matter. A cloture vote is scheduled for tomorrow on the pending Mack-Graham amendment to the District of Columbia appropriations bill if that issue is not resolved.

Also, as announced, the Senate may turn to any appropriations conference reports that become available. Therefore, additional votes will occur following the 2:15 p.m. vote during today's session of the Senate. I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. ROBERTS). Under the previous order, there will now be a period for the transaction of morning business, with the Democratic leader having 45 minutes under his control.

The distinguished Democratic leader is recognized.

Mr. DASCHLE. Mr. President, thank you for the recognition.

CAMPAIGN FINANCE REFORM

Mr. DASCHLE. Mr. President, let me begin by simply commenting on the interesting juxtaposition this body finds itself in this morning.

Less than 500 yards from here, the Governmental Affairs Committee is holding a hearing—another hearing—dealing with questions relating to campaign finance in the last Presidential campaign cycle. There seems to be an extraordinary degree of enthusiasm for pursuing every facet of that particular exercise, and I understand the enthusiasm because, obviously, it reflects in a very negative way upon many in the Democratic Party. There has been an effort to direct the committee's attention to similar allegations regarding Republican activities, but the Democrats have largely been denied an opportunity to demonstrate any balance. In fact, with all of the hearings held thus far, I am quite sure there have only been 3 days out of all of those hearings held that the committee has spent analyzing, considering allegations regarding Republican activity. So while 90 percent of the attention is centered on Democrats and less than 10 percent on Republicans, the investigation goes on.

The real question is, Where will this take us? And that leads me to this comment on juxtaposition. I wouldn't be surprised if on the cloture vote this afternoon, virtually every member of the Republican Governmental Affairs Committee will vote against cloture on the bill, will vote not to come to some termination of this charade that we have called debate for the last 14 days.

It was on September 19 that the majority leader came to the floor, surprising virtually all of us and asking unanimous consent to go to the campaign finance reform legislation. Not having had an opportunity to consult

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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with my colleagues, we had a temporary delay in agreeing to that proposal. But during that discussion, the majority leader made it very clear:

We want to do it in a time when it can be fully debated. I think it is important that we have a chance to look at different proposals and see if a consensus can be reached. . . . So, we fully intend to have notification of the date and an adequate discussion of all sides of the issue. . . .

. . . we will have a full panoply of options to make sure we have it brought up at the right time and we can have a full debate and look at all the other things we need to consider.

Comments made by the majority leader on September 19.

Mr. President, that was over 2 weeks ago. Everyone can recall what has happened since then. The bill was immediately laid down. The majority leader, as is his right, proceeded to fill the parliamentary tree. By that, I mean adding, 8 or 10 amendments to the bill to preclude Democrats from offering any amendments to the McCain-Feingold bill. He did not offer just any amendment. He introduced this Lott amendment, the bill, S. 9, kill the bill—which at least he was very up front about. He is quoted in the Wall Street Journal on the 26th of September saying:

I set it up so they will be filibustering me.

He was quoted in the Washington Times on the same day:

I presume the Democrats are going to filibuster what we laid out. I set it up so they are going to do the filibustering, not the Republicans.

So, Mr. President, his motives were pretty clear. He laid it out very well. So there shouldn't be any doubt what this is about. This isn't a discussion about whether or not the proposal is a good idea. We have already suggested, proposed that if it is a good idea, let's extend it to all organizations, let's extend it to corporations, let's extend it to all membership organizations that involve themselves in elections. If you pay dues, you ought to have the opportunity to say how those dues are spent. That is the Republican argument. Well, if it is good for unions, it ought to be good for corporations; it ought to be good for the Chamber; it ought to be good for every other organization.

Interesting enough, the Right to Work Committee, no bastion of support for labor unions, is quoted in the Washington Post:

The Right to Work Committee says it is opposed to any union provisions being included in the campaign finance overhaul.

Even the Right to Work Committee opposes adding the Lott amendment to the campaign finance reform bill.

So we are not fooling anybody here, Mr. President. We have offered, as I noted a moment ago, to take S. 9 separately; no filibuster. Let's have a good debate about whether it makes sense. Let's have amendments, and then let's vote up or down. We have offered that. That hasn't been accepted. Why? Well, the majority leader has made it very clear why. That's too easy. He wants to set up a situation that requires a Democratic filibuster.

So this is a poison pill, Mr. President—a poison pill. Why would Democrats oppose cloture on the amendment? Because if cloture is invoked on the amendment, by the very nature of cloture, all other amendments that are nongermane to that particular amendment falls. Could we add corporations? No. Could we add any other organization? No. So everybody ought to understand what this is all about. The majority leader does not want an up-or-down vote on his amendment. He doesn't want an up-or-down vote on campaign finance reform.

So we find ourselves in an interesting situation. We could table the amendment. I believe the votes are now here for the Senate to table the Lott amendment, but it is increasingly unlikely that we will have an opportunity to table the amendment this afternoon.

I am very disappointed with the way this whole matter has been handled from the very beginning in laying down the unanimous-consent request. When the majority leader attained his position, he and I had what I thought was an understanding: There would be no surprises. Well, you can imagine my shock at the surprise a few weeks ago, that is, on September 19, at this unanimous consent request, considering our understanding.

Yesterday, we filed a cloture motion to ensure that there will be another vote on reform, at least tomorrow. What I didn't know is that the majority leader took us out of debate on the campaign finance reform bill in order to preclude a tabling motion yesterday. That was surprise No. 2. So this debate has been filled with surprises. I am surprised, given what he said on September 19 about the full panoply of options, that we have no options at all. We have the option of voting for cloture.

If all this is confusing, it really boils down to something very simple: Do you support meaningful campaign finance reform? Do you or not? If you do, you will press the majority leader for a tabling motion on his amendment. If you do, you will vote for cloture this afternoon on the McCain-Feingold bill. So there shouldn't be any confusion at all about what this is about, about what the motivations are or about the circumstances in which we find ourselves this morning.

The bottom line is, the vast majority of Republicans are refusing to allow this Senate to act on one of the most important pieces of legislation to be brought up in this Senate in this Congress. That is the fact. And how ironic that as we investigate infractions, as we investigate allegations, the response is simply: Let's do nothing; let's filibuster the campaign finance reform bill; let's load up the tree so we can't have a debate on amendments.

We all understand it. The American people understand it too, Mr. President. Sooner or later we will have our day. It is the old lose the battle, win the war metaphor that keeps coming back. We may lose cloture today, we may not get our tabling motion today, but we are going to get some votes. If it is all we do for the rest of this Congress, we are going to get some votes.

Others have come to the floor to seek recognition. I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I appreciate the comments of the Senator from South Dakota. I rise to support his comments.

Mr. President, there is a wonderful cemetery in a little town called Medora, ND, on the edge of the Bad Lands in western North Dakota. The cemetery has very unusual tombstones in it because they did not always know the names of the people who died when they tried a century later to identify the remains in the cemetery. So they took an oral history of the old folks living around there and did the best they could.

So if you visit that little cemetery, you will see tombstones that say, on one "Baby From The Hotel." They did not know who it was. They just knew it was a baby that died in the hotel. On the other, "Man The Bank Fell On." Still another tombstone, "Cowboy With 2 Acres." Still another, they knew the man's name was Pete and it said, "Pete, He Died In A Disagreement."

It is an interesting cemetery to visit because by these tombstones you can tell, without knowing the names, who is buried there.

I was thinking about that cemetery today because we have today a group of people who are fixing to try to kill and then bury campaign finance reform. They have been out here for days. Today is their day because today we have some votes. They want to kill it, and they want to bury it.

The problem for them is no matter what happens today, they are not able to create a tombstone that says, rest in peace for campaign finance reform, because it is not going to rest in peace. Those who believe there is not enough money in politics and we ought to have more, those who believe that we ought to kill campaign finance reform and they are the ones to do it, they want to have a little rest in peace tombstone and run to the back rooms and collect their political inheritance, the tens of millions of dollars that keep flowing into all of these coffers and hard money and soft money for this organization and that organization.

It is not going to work quite that way. If they kill campaign finance reform today, it will have been a charade. We were told that we would consider campaign finance reform on the floor of the Senate. How did it come to the floor of the Senate? It came to the floor of the Senate tied in ropes with a procedure designed to prevent anyone from offering any amendments or having any votes except those structured by the majority leader. And those structured by the majority leader are intended to accomplish the following:

According to one who spent a great deal of time on the floor here, "We're going to kill it, and kill it proudly." Campaign finance reform, that is their goal, "kill it, and kill it proudly."

"I set it up so they will be filibustering me," proudly crows another.

Conservative columnist Mr. Novak wrote a column and said it as it was,

> The party's preference is * * * no reform at all: Remove all limits on campaign contributions but disclose them daily on the Internet. Because that won't become law, the GOP leaders favor a Senate standoff in which no proposal gets 60 votes needed to end a filibuster.

I did not say that. A Republican columnist wrote that. That is the strategy.

Part of it is: "[Speaker] Calls For More, Not Less, Campaign Cash." It is because of a profound difference of opinion. Despite the facts, despite this red line on campaign spending that goes up and up and up, spending that is out of control in politics in this country, despite that, we have people who believe the problem is there is not enough cash in politics. They are dead wrong. They could not be more wrong.

The American people know and the American people understand that we need to pass some sort of meaningful campaign spending reform. I happen to believe we ought to try to find a way to put limits on campaign spending.

Individual races, the Supreme Court said by a 5 to 4 decision you cannot support those. I would like the Supreme Court to have another opportunity to rethink that, but in any event there are other ways to do it to provide incentives for spending limits on each campaign. In fact, the bill before us is watered down. They took that portion of the bill out before it was brought to the floor. So what they are trying to kill is even just a skeleton of what we ought to be doing.

If we get to vote on amendments, those of us who believe there ought to be spending limits will bring that to the floor and ask for a vote on that as well. But that is not in the bill at the moment.

The strategy is a legislative strategy to bring it up, have no votes, offer a poison pill, fill the legislative tree so everyone is bound up and no one can do anything, then file cloture, have a vote on cloture, and pull the bill and claim to all of America you really allowed consideration of campaign finance reform.

That is not consideration. That is a sham. That is not about honest consideration of campaign finance reform. An honest consideration of it would be to bring the bill to the floor and let people file amendments and have a debate and have votes and determine what is the will of the Senate.

The goal of those who want to kill this today is to do nothing because they like the current system. They will feel, I assume, like hogs in a corn crib when this is all done, just rejoicing at their bounty because they will have killed campaign finance reform, and the hundreds of millions of dollars that continue to float around to all these campaigns will magnify and multiply manyfold.

We have had 6,700 pages of hearings on campaign finance reform, 3,361 floor speeches—make that 3,362 now today and 3,363 with the next Speaker—113 votes over the years, 522 witnesses. And some say, Well, gee, we need more time to consider this. We don't need more time to consider this. Campaigns are not auctions. They are elections. Money isn't speech. If money is speech in American politics, then there is something wrong with the political system.

If we cannot begin with the germ of an idea that there is too much money in politics, that this red line signifies something that is unhealthy about American politics and that soft money is the legal form of cheating from the old type of campaign finance reform, and if you cannot deal with the form of cheating that erupts from the old campaign finance reform because you don't want to do anything, then somehow we have failed as an institution.

So my point today is very simple. In 1996, the Democrats, through their organization, spent $332 million. That was up 73 percent over 4 years previous. The Republicans spent $548 million. That was up 74 percent over 4 years previous.

The fact is, the evidence is all around us that the cost of these campaigns is mushrooming and escalating, and it is unhealthy. The question is, what do we do about it?

Today, we are going to answer the question who is for reform and who isn't, who wants to do something about this and who doesn't, who cares about this issue and who doesn't care.

I know some are going to be tempted today to follow the strategy employed by the majority leader: Construct a tent and create an illusion and have several cloture votes through which or behind which some Members can hide with their votes so you never ever get to the central question of, Do you stand for campaign finance reform or don't you?

I just say to those who have conceived of this strategy that this campaign finance reform, if you think you have killed it today, it is going to be resurrected tomorrow. This is not going to rest in peace. You are going to vote on this and vote on this and vote on this until you understand this is a serious issue and the American people insist that this Congress do something about campaign finance reform.

I am proud, as I believe the Senator from South Dakota, the minority leader, Senator DASCHLE, is proud and my colleagues are proud of standing for reform and deciding that we support the kind of changes that are necessary to bring some health to the campaign finance system in this country and to do something about the abuses, the outrageous amounts of money in campaign finance.

Mr. President, I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, how much time remains under the control of the minority leader?

The PRESIDING OFFICER. The time remaining is approximately 24 minutes 56 seconds.

Mr. KENNEDY. For the minority leader?

The PRESIDING OFFICER. That is correct.

Mr. KENNEDY. I yield myself 7 minutes, Mr. President.

Mr. President, Americans from all walks of life know that we need tough new laws that limit the role of money in election campaigns in American political life. They are fed up with a campaign process driven by the soaring costs of television commercials. They are fed up with incumbents and challengers who spend more time raising money from special interests instead of serving the public interest.

Americans want true campaign finance reform, and today is a test of whether the Republican leadership in the Senate is listening. Will we get a chance to enact campaign finance reform, or will the Republican leadership in the Senate continue to block reform or even withdraw the bill entirely?

Instead of reform and accountability in Government, Republicans wants to silence the voices of America's working families. Instead of adopting real limits on campaign spending, Republicans want to sweep the American worker under the rug.

In the world according to the Republicans, there would be more and more money for their campaigns and less and less for those who speak up for better jobs, better health care for our children, and a better retirement for our seniors.

So far in this debate, instead of limiting the amount of money in politics, Republicans prescribe an overdose of money for elections in which their friends in big corporations and their lobbyists and special interests can

write more checks and bigger checks to the Republican Party.

Republicans in the Senate have decided that they would rather kill the patient with a poison pill than cure the disease. They say that unless the bill silences the voice of labor unions and American workers in the political process, they will kill campaign finance reform. They want to increase the power of large corporations and squash even the limited power that American workers have today. Republicans want to handcuff labor unions in the battle for a living wage and fair retirement benefits, for safety and health conditions in the workplace.

In short, Republicans want to impose a gag rule on American workers but let their friends in big corporations, the National Rifle Association, and other well-heeled special interests buy a controlling interest in the Government.

The Lott amendment is a killer amendment, because it unfairly punishes working Americans and their unions for participating in the 1996 elections. The Lott amendment bars unions from collecting dues from any workers—including those who voluntarily join a union—unless those workers sign a permission slip for their union dues to be spent for political purposes.

When the amendment seeks to block labor union contributions for political purposes, the restriction is not limited to campaign ads or lobbying. Instead, it includes union newsletters, nonpartisan voter registration drives, and get-out-the-vote efforts. The scope is vast, and the goal is obvious—to deny working Americans those basic rights of our democracy.

We have heard much in recent days about the importance of the first amendment. Many on the other side of the aisle wrap themselves in the banner of free speech when they oppose the McCain-Feingold bill. They claim that the first amendment requires that more money be pumped into the political process.

That is Alice-in-Wonderland, looking-glass logic, and everyone knows it.

I couldn't disagree more, and so does the majority of the American people. Americans want campaign finance reform, and they want it now.

Strangely, those who claim that the first amendment demands more money in politics are silent about the Lott amendment's effect on free speech. Working Americans and their unions have first amendment rights to freedom of speech and association. Political activity is critical for workers to protect the legislative gains they have made in the past 70 years. Workers can and should speak out to strengthen safety and health laws, and protect American jobs against exploitative foreign competition.

And what better way to address these and other basic concerns than by banding together in their unions? The labor movement is the most effective voice for working Americans in the political process, and we all know it.

But the Lott amendment silences this voice. It imposes onerous prior consent requirements on unions, and forces unions to set up burdensome bureaucracies to meet its terms. The amendment's supporters know this would cripple unions' ability to participate in politics. Yet those supporters say nothing about the denial of workers' freedom to speak or associate. Many Republicans apparently care nothing for the first amendment when it comes to American workers.

How hypocritical can you get?

Well, I believe that the first amendment applies to employees as well as executives. Unions have at least as much right to speak as corporations. Nothing in the first amendment says "except if you are a union member."

Unfortunately, it seems that many of my colleagues on the other side disagree.

They want to continue the torrent of campaign ads and political contributions from the big tobacco companies and other large corporations, the National Rifle Association and other special interests. The Lott amendment does nothing to affect the free flow of money from those groups, whether their members agree or not. Where is the concern for corporate shareholders who do not want their money going toward political causes? What about dues-paying members of the National Rifle Association who may not agree with all the political stands their organization takes? I don't hear Republicans expressing concerns about them.

Instead, under the Lott amendment it is only workers who are silenced while big corporation and other special interests are unaffected.

The current campaign finance laws, inadequate as they are, at least apply evenhandedly to political spending by both business and labor. The Lott amendment violates fundamental principles of parity by imposing new restrictions on workers and labor unions.

This isn't reform; it is revenge. It is a blatant attempt to punish working Americans for their role in the 1996 elections and an equally blatant attempt to increase the role of big business in the next election.

These workers were pointing out the importance of fairness to working Americans to increase the minimum wage, working families that were pointing out the wrong priorities that were being pressed by the Republican leadership in cutting back essential education programs. They were pointing out the recommendations by the Republican majority to cut back on the Medicare Program and to use those cuts for tax breaks for wealthy individuals, and the programs that were recommended and passed in the House and Senate to open up pension funds for corporate raiders—all of these items were put out on the American agenda, and in instance after instance the American people rejected the Republicans' proposal and reelected a Democratic President.

We must move beyond this partisan assault on American workers and enact real campaign financing reform. We should heed the call of former Presidents Carter and Ford as they wrote on Sunday:

> We must demonstrate that a government of the people, by the people and for the people is not a thing of the past. We must redouble our efforts to assure voters that public policy is determined by the checks on their ballots rather than the checks from powerful interests.

If President Ford and President Carter can agree, if Vice President Mondale and former Senator Kassebaum can agree, then surely this Senate can reach agreement, too.

I urge my colleagues to defeat the Lott amendment and support the meaningful reforms of the McCain-Feingold legislation. I yield the floor.

Mr. REED addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. I yield myself 5 minutes from the time controlled by the Democratic leader.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. REED. Mr. President, I rise today in strong support of meaningful campaign finance reform. In particular, in support of the McCain-Feingold bill. I want to commend those two Senators for their excellent work and their unflinching efforts to bring this measure to a vote. I also want to rise in opposition to the proposed Lott amendment. It is an amendment that is clearly a poison pill designed not to do anything other than derail meaningful campaign finance reform. This is the conclusion of all observers who have looked at this carefully—Common Cause, the League of Women Voters, editorial pages in the New York Times and Washington Post. Political scientist Norman Ornstein said, "A vote for the Lott amendment is a direct move to kill reform." Rather than killing reform, we should be embracing it today, in terms of the Feingold-McCain legislative initiative.

In 1884, the Supreme Court gave us the task of protecting the electoral system. In the words of the opinion in Ex Parte Yarborough, they said Congress has "the authority to protect the elective process against two great natural and historical enemies of all republics, open violence and insidious corruption."

What we are witnessing today in our electoral process encompasses this form of insidious corruption—not specific misdemeanors, or infractions, but a system in which the American people

are losing faith and confidence, that they are seeing their system transform from one in which free elections are based on the merits of the candidates to one which they perceive is based upon simply the sheer volume of cash that flows into the system. This corrupting influence is weakening our ability to govern and the confidence of the people in our motives and indeed in our actions.

Ninety-two percent of Americans think that too much money is spent on campaigns; 89 percent want fundamental change in the campaign finance system; 85 percent believe special interests have more influence than the voters; 69 percent believe that public officials are indifferent to their views, their concerns, their needs; 51 percent believe that quite a few Government officials are corrupt.

If that is not evidence of insidious corruption, then I don't know what is. Perhaps other evidence might be the fact that people are no longer participating in the most meaningful way a citizen can participate, by voting. We have seen voter participation plummet. In 1996, voter turnout was below 50 percent, which is the lowest since the early 1920's. Fewer people volunteer to participate as volunteers on campaigns, as canvassers, as public-spirited citizens who want to be involved in the Government. The most frequently cited reason for people not actively engaging as candidates is the fact that they can't raise the enormous amounts of money that they perceive is essential to becoming part of the American political process.

All of this argues, I think, eloquently and decisively for fundamental campaign finance reform. But what is happening today in this amendment is an attempt to throttle the views of working men and women throughout this country. And at the same time, protect and enshrine the right of the few to give very, very much to political campaigns.

That, I think, is another example of how the system has gone haywire and askew. Six hundred thousand people contributed over $200 in Federal campaigns in 1996. That represents .31 percent of eligible voters. Of those individuals that gave over $1,000, 237,000 Americans, .12 percent of eligible donors. Those individuals who gave the maximum amount under Federal law to Federal candidates, $25,000, in the entire United States, 126—an infinitesimal fraction. That is what this argument is about today in many respects. It is to allow those individuals to give directly and indirectly unlimited sums to the political process and to further erode confidence in our Government. At the same time, the Lott amendment would circumscribe the ability of working men and women to make small, routine contribution through political action committees.

The sum of all this is that we need fundamental reform. The Feingold-McCain bill presents such reform. It would ban soft money to national political parties as well as the use of soft money by State parties to impact Federal elections. It would eliminate the abuse of issue ads. The last election cycle saw an explosion of issue ads, ads in which candidates were beaten about the head and shoulders regularly, not by their opponent, but by groups that rose up suddenly and put ads on television and departed just as quickly.

(Mr. SMITH of Oregon assumed the chair.)

Mr. REED. The Feingold-McCain bill would also strengthen disclosure in election law. It would provide for strict codification of the Beck decision, not circumscribe and prevent labor from participating in elections, but codify the Supreme Court decision, allowing the notification of the use of funds for political purposes by unions and also reduction for those individual members who object to such uses. Also, it will put limits on party assistance of wealthy candidates and the ban of foreign money into American campaigns. This is fundamental, necessary reform of our campaign system. I argue in fact that as worthy as these reforms are, we would have to go further. But today at least let us take the step forward for this sensible, moderate balanced reform, which the American people are demanding.

There are States in this country that have taken the step, have gone much further and passed expenditure caps on campaigns, that are experimenting with other ways in which they want the issues to be decided by candidates based upon their positions, not by campaign committees based on their balances in their checking accounts. We should take the step forward today. We should in fact resist the Lott amendment, which would derail meaningful campaign finance reform. We should rather urge that we, as the Senate of this great country, proudly step forth and endorse meaningful campaign finance reform. Many years ago, in 1914, the New England poet Robert Frost wrote: "Good fences make good neighbors."

Well, Mr. President, ladies and gentlemen, when it comes to campaign finance reform, all our fences are down. They have been demolished by a flood of cash running into elections. Unless we build good, strong fences, we can't be good neighbors or good candidates or indeed good citizens. We need to reform our campaign finance system, we need to begin today by defeating the Lott amendment and moving forward to pass the McCain-Feingold legislation.

I yield the balance of my time.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank my colleague for his strong words. He has been a very strong reformer in the Senate.

Mr. President, let me try to not repeat the arguments that have already been made on the floor and instead draw from conversation that my wife Sheila and I have had with people in cafes in Minnesota. We had the opportunity, in August, to spend about a week just dropping in cafes in the morning around breakfasttime and lunchtime and just talking with people and listening to what people had to say. I say to my colleagues that one disturbing conclusion from these discussions with people is that I think many people in our country, certainly many Minnesotans, are now pretty well convinced that way too much of politics, way too much of Government is dominated by wealthy people and special interests, that too few people have way too much wealth, power, and say and that too many people—that is to say the majority of people—are locked out.

Mr. President, in the cafes in Minnesota, quite often people would say to us: When it comes to our concerns, Paul and Sheila, about affordable child care, jobs and decent wages, and affordable health care, about the power of insurance companies, the way in which we are denied coverage, about the concentration of power in banking, about the concentration of power in agriculture, about affordable education, when it comes to our concerns, we don't think our concerns are of much concern in the Halls of the Congress.

I think the main reason that people have reached this conclusion is that they are so disillusioned about all the ways in which they see big money dominating politics. Indeed, I think that is the ethical issue of our time.

Mr. President, so that nobody has any illusions here, I don't think that people view this as corruption as in the wrongdoing of individual officeholders, but they view it as systemic. They really believe that there is an imbalance of power where the wealthy few and powerful interests pretty much dominate the political process. Mr. President, you know what? I think they are right. I don't think it is just a perception. I think they are absolutely right.

If you believe in representative democracy, then you believe in the idea that each person counts as one and no more than one. We don't have that any longer. We have auction block democracy, Government going to the highest bidder. People are disillusioned. That is the meaning of the last election, where over 50 percent of the people in the country didn't even vote. The party of the disaffected is the largest party in our country. Therefore, I don't understand, for the life of me, why my colleagues on the majority side introduced an amendment—the majority

leader introduces an amendment which basically destroys this campaign reform effort.

Now, Mr. President, I want to thank Senators MCCAIN and FEINGOLD for their very strong leadership. I think this is the most important issue before us. I think it is the core question; it is the core issue. Every year since I have been here in the Senate, I fought it out on these reform issues because I really think this goes to the very heart of whether or not we really have a democracy or whether we just have a pseudodemocracy. What we have before us really is not the McCain-Feingold original formula, but the extra-mild version, which I don't think has enough zing in it, but at least it represents a step forward. With the McCain-Feingold effort here, we have a ban on soft money contributions to the parties. This is the sort of unaccountable money, if you will. We have in addition, some real standards on this issue advocacy—and this has been gone over, which is a terribly important part of this legislation—and by the way, if you ban soft money to the parties and don't do anything about the issue ads, really psuedofake ads, the money will just shift there, and in addition, you have some standards dealing with tighter standards dealing with independent expenditures. So it is a step forward. That is why we should pass it.

My hope is that it will whet the appetite of people in the country for more because the truth of the matter is, in the spirit of compromise, the one provision that was actually dropped—that is why we have McCain-Feingold extra-mild now, it had do with us, with reducing the amount of money spent in campaigns in Senate races. I mean, I thought that was the most important part that we would somehow reduce the amount of money spent in exchange for discounts when it comes to access to TV time or direct mailing, you name it.

Now, Mr. President, I mean, I think the criteria ought to be, let's stop this obscene money chase, let's stop the obscene amount of money all of us have to spend and the time we have to spend raising money. Let's lessen the special interest access and influence. There is way too much of that. The vast majority of people really are locked out of this process, and let's try and have a level playing field, where challengers have a shot at winning. By that criteria, the McCain-Feingold bill doesn't go far enough. But if this piece of legislation is passed—and that is why it is such an important bill, even this stripped-down version is so important—people in the country, I think, will say, look, the Congress has finally taken some action. This is a step forward.

People aren't fools. People aren't going to see this legislation as the be all and end all. They are not going to see it as Heaven on Earth, as ending all special interest access; they are not going to see it as ending the huge amounts of money spent in politics. But people will see it as a step forward. I say to my colleagues that what we have here when it comes to the majority leader's amendment—quite frankly, I am surprised that some of my colleagues in the majority party have essentially followed the lead of this amendment. I hope they won't. If we have a vote that is going to be very revealing.

If in fact people vote for this Lott amendment and continue to insist that it became part of a reform bill knowing that it is, as everyone has said, the "poison pill" amendment, then we may very well have no reform bill passed at all.

So this becomes a vote which tells people in the country where all of us stand and on what side each party stands on when it comes to this fundamental question of reform.

If we come here this afternoon and what we have happen is that we have the Lott amendment out there—I don't know why we can't have a separate vote on the Lott amendment. I thought we would. I think we can vote it down. If that doesn't happen, then there is no cloture, and then we go to the McCain-Feingold bill and we can't get cloture, that is blocked by Senators in the majority party, then what happens is we again reach an impasse, and people in the country become disillusioned.

As a Democrat, I will just say to the Members of the majority party that, frankly, I think people will be very angry. I think they will not appreciate this amendment. I think they will not appreciate the effort on the part of the majority leader to kill campaign finance reform. But I would say, not as a Democrat but as a Minnesotan, as an American citizen, ultimately we all lose. If we do not take advantage of this moment in time where we can pass a reform bill, albeit it still doesn't do enough, then we will be making a huge mistake, and this will just add to the disillusion of the people in the country.

The good news is that we can pass a reform bill. I hope we do. I hope we do not squander this opportunity. The good news is that all around the country there is a lot of energy for reform.

I introduced a bill with Senator KERRY which is a clean-election, clean-money option which essentially gets all of the private money out of politics. It is really strong. People in Maine have supported it. People in Vermont have now supported it. There are going to be initiatives around the country on this. There is a lot of energy in States all across the country. So I think people in the country are going to continue to put the pressure on.

But we ought not to miss this opportunity to do something good. We ought not to miss this opportunity to at least begin to make some changes in the way in which all of this money is spent on politics. We ought not to miss this opportunity to pass the McCain-Feingold bill and give people in the country a clear message that we hear them. We ought not to miss this opportunity for reform. We ought not to miss this opportunity to reassure people in the country that we are committed to a political process that is more open, with more integrity—and not just the heavy hitters, the big givers, the invested and the well-connected running the show. We better not miss this opportunity.

I say to my colleagues in the majority party that I hope some of you will have the courage to vote against this Lott amendment, if we have that chance, or have the courage to join us and pass the McCain-Feingold bill, which would be a historically significant step in the right direction in leading our country toward more democracy, toward more participation and more involvement as opposed to this awful system we have right now which absolutely needs to be changed.

Mr. President, I yield the floor.

Mr. KOHL. Mr. President, I rise today to voice my support for the McCain-Feingold campaign finance reform bill. This debate is one of the most important that the Senate will conduct in this session of Congress, and I desperately hope it will result in passage of meaningful campaign finance reform.

There is an extraordinary need for reform of our election laws. Despite the apparent problems—problems that have gotten worse with every election—Congress has not passed reform. Our failure to act has contributed to a loss of confidence, not only in our electoral system, but in our democracy.

The American public has lost faith in government and its institutions. Americans feel they don't control government because they believe they don't control elections.

If you ask people who runs Washington, most will say "special interests." People watch State officials, Members of Congress, and Presidential candidates chase money, and believe that's the only way to get your voice heard in Washington. They see televised campaign finance hearings, allegations of trading contributions for access, and they think, "how could my voice be heard over all that cash."

Certainly, Congress is not alone to blame for the current system. Voters themselves share some responsibility. People routinely decry the use of negative political ads, yet continually respond to the content of those ads. The media, especially television stations and networks, have failed to adequately inform the public of important policy questions. Instead of covering significant issues, broadcasters often fall back on covering the "horserace" aspect of the campaign, or "sideshow" disagreements among candidates.

But the ultimate responsibility rests in this Chamber, with Congress. For more than 30 years the growing crisis has been ignored. Year after year, speeches are given, bills are introduced, but no action is taken.

We now have a rare opportunity, with public attention focused on this debate and this bill, to pass real campaign finance reform.

Senators MCCAIN and FEINGOLD have developed a genuine compromise plan. It is not exactly as I would have drafted—or any of us, if we had that chance. It is, however, the best, last chance we have to repair the broken campaign finance system.

The modified version of the bill addresses one of the fundamental problems in the system—soft money contributions. By banning these huge sums from Federal campaigns, we correct many of the problems which have been exposed this year in hearings before the Senate Governmental Affairs Committee.

The bill also tries to deal with the growing and disturbing impact of independent expenditures. I believe the sponsors of the bill have achieved a delicate balance in this area—curtailing the use of this practice, while still conforming to constitutional boundaries.

Mr. President, we have never had a time in our Nation's history when such a pervasive problem went unanswered by the Congress. America has met challenges such as this before, and adopted policies which strengthened our democracy. We have that opportunity with the bill before us.

The McCain-Feingold bill will help restore the American public's faith in this institution and in all the institutions of Government.

As some of my colleagues know, Senator BROWNBACK and I have introduced legislation to establish an independent commission to reform our campaign finance laws. This commission would be similar to the Base Closure Commission, which proposed a series of recommendations to Congress for an up-or-down vote of approval.

But I do not believe that we should take such an approach at this time. It would be much better if Congress acted on its own, without the help of an outside body, to reform our election laws. It would demonstrate to the American public that Congress is serious about changing the way our democracy functions.

Mr. President, before I conclude, I just want to take a moment and commend my colleague from Wisconsin, Senator FEINGOLD. Without his tireless efforts to advance this bill, it surely would have died long ago. By bringing this cause to the floor, Senator FEINGOLD truly follows in the tradition of the great progressive movement in Wisconsin. I'm proud to serve with him, and I urge my colleagues to support our efforts to pass this vital legislation.

Mrs. MURRAY. Mr. President, this is the 5th year I have been a Member of the U.S. Senate. And this is the 5th year I can recall debating campaign finance reform. I have voted for campaign reform legislation several times now, and each time it has been killed off by filibuster.

This year, I have served as a member of the Leadership Task Force on Campaign Reform. We knew from the beginning of the year this would be a big issue. Therefore, we have devoted hours to finding a way to break the logjam and move a bill.

Against this backdrop, I have been listening to this debate very closely over the past few days. I have been watching the hearings in the Governmental Affairs Committee, and I have been watching the efforts of colleagues on the other side of the aisle as they attempt to find a compromise.

So far, I cannot see many differences between this debate, and the ones we've had over the past few years. In this debate, we have a bipartisan group of Senators committed to reform. This group has worked overtime to craft a reasonable reform measure that makes sense for America. They have worked to generate support, to make their case to the media and to the public, and to push for the last few votes necessary to pass it. I have been proud to support the effort.

And, like usual, there is the familiar obstruction on the other side of the aisle: a concerted effort to preserve the status quo. Though carefully disguised, their goal is to prevent reform legislation from passing.

There is a big difference this time. The public is paying more attention than ever before. The excesses of the last campaign season, brought to light through the good work of the Governmental Affairs Committee, have made campaign reform a front-burner issue in every kitchen in America. Just yesterday, more than 1 million signatures were delivered to the Capitol. These are signatures from people all over America who, over the past 7 months, have joined a nationwide call for reform.

The people are calling for reform, as they have for years. But this time the call is louder, the focus is more intense, and the opponents of reform will be held accountable.

What exactly is the problem? Money, plain and simple. Too much money, having too much influence over our democratic process. As I have said before, this Congress has reached the point where votes and decisions have become a bidding war between well funded special interests.

When the Senate debates a bill, we are no longer simply 100 Senators representing our States. We are 100 Senators representing our States and every special interest who has ever made a major financial contribution to the party, or to the campaign, in order to influence government decision-making. This is wrong. This is not the way it should be.

The campaign system is clogged with money, and there is no room left for the average voter. Political campaigning has become an industry in this country. In last election, over $800 million were spent on Federal elections alone. To what end? To perpetuate the status quo. Just think what $800 million could do if spent on charitable pursuits.

Instead, that money—much of it undisclosed, from dubious sources—flowed into the political arena and dictated the terms of our elections to the people. Like water, it flowed downhill into campaigns all across the country. Some of it came out in the form of national party ads attacking candidates in the abstract; some came out in the form of issue-ads by interest groups trying to influence the outcomes. Some of it came out in the candidates own TV ads.

It reaches the point where you almost cannot hear the voices of the candidates anymore, only the voices of the dueling special interests. We do not know who pays for these ads, where they get their money, or what they stand to gain if their candidate wins. Yet they have found ways to have a huge influence over the election process.

On the other side of the aisle, the opponents of reform argue against the McCain-Feingold bill on free speech grounds. They wrap themselves in the flag and posture as protectors of free speech. Then they argue politicians and political parties should be able to take money in any amount from anyone in order to make the case for their reelection. They believe that having more money entitles one to a greater influence over our campaigns and elections. I find this argument shocking, Mr. President. I find it profoundly undemocratic, and un-American.

In hiding behind a transparent argument about free speech based on access to money, the opponents of reform conveniently gloss over reality: our campaign system is so awash in money, that the voices of average people and average voters are completely drowned out. Ultimately, people are losing faith in their elected officials and their government. It is simply not a healthy situation for our country.

Mr. President, the opponents of reform miss the point. In America, money does not equal speech. More money does not entitle one to more speech. The haves are not entitled to a greater voice in politics than the have-nots. In America, everyone has an equal say in our government. That is why our Declaration of Independence starts with, "We, the people."

The last time we debated reform, I told a story of a woman who sent my campaign a small contribution of $15. With her check she enclosed a note that said, "please make sure my voice means as much as those who give thousands." With all due respect, Mr. President, this woman is typical of the people who deserve our best representation. Sadly, under the current campaign system, they rarely do.

I have tried to live by my word on this issue. My first Senate campaign was a shoestring affair. I was out spent nearly 3 to 1 by a congressional incumbent. But because I had a strong, grassroots, people-based effort, I was able to win.

Since then, I have worked hard to keep to that standard. I have over 20,000 individual donors. The average contribution to my campaign is $42. Over 90 percent of my contributions come from within Washington State. I firmly believe that's the way campaigns should be run: by the people.

We need more disclosure, not less. We need more restrictions on special interest money, not fewer. We need less money in the system, not more. We need to amplify the voices of regular people, instead of allowing them to be shouted down by special interests.

Mr. President, I believe we have made this debate way too complicated. After all the maneuvering, the cloture petitions, the technicalities, the procedural votes, this issue boils down to one basic question: are Senators willing to make some modest reforms to reduce the influence of big money in politics and encourage greater voter participation? Or are they more interested in protecting the current system, and the ability of parties and politicians to turn financial advantage into political advantage?

Are you for reform, or against it? Are you with the people, or against them on the need for a more healthy democracy? The votes we are taking today will show the answers to these questions.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I think by unanimous consent I have the next 45 minutes reserved. I would like to yield the first 20 minutes, or 25 if he needs it, to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. ROBERTS. Thank you, Mr. President. I wish to thank my colleague from Texas for reserving this time.

Mr. President, we are going to change the subject in regard to campaign reform. Let me just simply say that I think it is always a wise suggestion to check under the banner of what is alleged campaign reform, and I think if we would check under the banner in regards to the McCain-Feingold bill, that campaign reform is an oxymoron. But having said that, I am not going to take any more time of the Senate on this particular subject.

BOSNIA AND NATO ENLARGEMENT

Mr. ROBERTS. Mr. President, I want to talk about what is happening in regard to mission creep in Bosnia and how that reflects on the hearings that will start very quickly in the Senate in regard to NATO expansion.

Mr. President, when President Woodrow Wilson exhorted Americans to make the world safe for democracy, he did not mean sending U.S. troops to attack foreign television stations and to attempt to try to shut down political speech in other countries. Yet that is exactly what happened last week in Bosnia as NATO troops, or SFOR troops, took over four television transmitters in an effort to control news broadcasts in that shattered region. State Department officials, in declaring victory, pledged to create a system "free of the monopolizing influence of political parties." Let me emphasis that again. Free the system—"free of the monopolizing influence of political parties." Then they set about the task of deciding what television content from United States networks might be appropriate for viewing by the citizens of Bosnia—content that is not "ethnically biased."

Wrote Lee Hockstader of the Washington Post:

> As a result of the seizures of the TV towers, NATO generals and Western diplomats have cast themselves in the roles of media executives determined to construct an evenhanded state television station in a country that has never had one. That represents a new level of involvement in Bosnia's affairs for the West * * *

A new level of involvement indeed.

The trouble is, neither the American public nor Congress have been told by President Clinton just what out expectations are in Bosnia. What is our mission? How long will it last? How much will it cost? What will be accomplished? How do we extract out troops from the mess they are in?

None of these questions have been answered.

Is this war? If U.S. troops were involved in a war situation, we could expect media outlets to be military targets.

Is this war? If so, we can expect costs and casualties far beyond what the administration has projected.

Is this war? If so, what national security interests are at stake?

Is this war? If so, our troops cannot be expected to defend their lives with Nielsen ratings.

Mr. President, given this outlandish situation, we are tempted to treat these events as farce:

So when a television station in our home State gives a Senator a rough time, maybe we should call the Marines instead of the news director.

And certainly many Americans would agree they should not be bothered by the "monopolizing influence of political parties" during next year's campaign season.

Now we are back to campaign finance reform. But, Mr. President, Bosnia is serious business. Lives are at risk. Regional stability is on the line. We have serious obligations.

A few days ago Congress adopted an important amendment to the Defense appropriations bill, kindly referred to by the distinguished chairman of the Appropriations Committee as the "Roberts amendment." It requires the President to certify to Congress by May 15, 1998, that the continued presence of United States forces in Bosnia is in our national interest and why.

He must state the reasons for our deployment and the expected duration of deployment.

He must provide numbers of troops deployed, estimate the dollar cost involved, and give the effect of such deployment on overall effectiveness of U.S. forces.

Most importantly, the President must provide a clear statement of our mission and out objectives.

And he must provide an exit strategy for bringing our troops home.

If the President does not meet these conditions, funding for military deployment will end next May.

Following our actions against the television stations, Serbian officials warned there would be retaliation. And the New York Times reported that Bosnian Muslims are secretly arming themselves.

A senior NATO commander was quoted, "The question no longer is if the Muslims will attack the Bosnian Serbs, but when. The only way to prevent such an attack, at this point, is for the peacekeeping mission to extend its mandate."

Sound familiar. You bet it does.

Extend the mandate—that's mission creep by any name.

And it is the dangerous result of a policy that is lacking in direction, lacking in leadership and lacking in purpose.

The events of the last few days are alarming. They make it more urgent that the administration develop and articulate a course of action that is based on sound policy.

Taking over TV transmitters? Trying to figure out on an even basis what should be programmed, what the people of Bosnia should hear and listen to?

I suggested to one of my colleagues that if we had a choice of programs we should put "Gunsmoke," which is a favorite TV show of mine, on the Bosnian TV stations. I don't know what would be the opposing viewpoint. Maybe "Natural Born Killers" could be posed for some of the people who have been

convicted or who have been indicted under the war crimes trials. Maybe in terms of programming we could decide on old newsreels of Tito. Maybe that would do some good.

This is incredible in terms of taking over the TV transmitters.

We need hard answers on Bosnia.

We need direction.

We don't need Nielsen ratings.

In that regard, I thank my colleague from Texas for bringing up this special time for us to consider how Bosnia also segues in our decision in regard to NATO expansion.

However, with all due respect to former Ambassador Richard Holbrook and Secretary of State Madeleine Albright, there is not much support for American military presence in Bosnia in Dodge City, KS, where "Gunsmoke" came from. Now, the question is, are the American people willing to commit to additional military responsibilities called for under article 5 of the NATO Charter, and at what cost? Will they support a commitment to the Czech Republic? How about Slovakia or Slovenia or perhaps Macedonia?

When I went over during the August break to visit our troops in Bosnia, our intelligence officials and others in that part of Central Europe, here came the folks from Macedonia wanting to be included in NATO expansion. Some 20 Senators, myself included, following the leadership of the distinguished Senator from Texas, asked that question and 10 others in a letter to the President prior to Madrid. With many Senators listed as skeptical or undecided, clearly I think the hard questions must be asked in full.

Simply put, to bring NATO expansion into focus, I think President Clinton must become engaged. In Warsaw, St. Petersburg, and in Bucharest, he addressed general European security concerns but he has not made a case to the Congress and to the American people. As a matter of fact, in remarks during his European trip, the President said in the post-Soviet era, military matters are no longer primary, that terrorism, illegal drugs, national extremism, regional conflicts due to ethnic, racial, and religious hatreds do matter. I can assure you using an expanded NATO to address these concerns raises more questions than answers.

What means would be used? Warplanes, ground forces, and naval power are of little use in fighting ethnic hatred and racism. If NATO membership reduces the threat of ethnic rivalries, somebody should tell that to the Protestants and Catholics of Northern Ireland, the Basques in Spain, and the Kurds in Turkey.

Do we really want to change the most successful security alliance in history to a European United Nations? With 16 NATO members and 28 other nations inaugurating the Euro-Atlantic Partnership Council, the protocol rituals and welcoming speeches left no time for any serious discussion. The meeting was over.

And, I must say while I understand the personal and emotional feelings that all freedom loving people feel when visiting Prague, Warsaw, and Budapest, I do not think NATO expansion will right the wrongs of Yalta nor do I agree that raising serious questions about NATO expansion represents the echoes of Munich as some in the administration have charged. To characterize serious critics as appeasers or isolationists sets needed debate off on entirely the wrong foot.

Let me emphasize my reservations are not a reflection on the potential new members or their worthiness to join the alliance. I am extremely impressed with the success of the nations of Eastern Europe and their dramatic move toward democracy.

Let me share some of my major concerns.

Without argument NATO has been the most successful alliance in history. Likewise, most will agree that chief among the reasons for NATO's success is the fact that it is a military alliance comprised of like-minded nations focused against a common threat. As we know, in the past the security threat was the Soviet Union and the nations of the Warsaw Pact.

Today, however, that threat is vastly diminished—some would say gone. With the Warsaw Pact now history, there certainly is no clear threat to the survival of Europe on the horizon.

Certainly there are concerns for stability in Europe such as we have witnessed in Bosnia and in Albania. But do we need to fundamentally alter the structure of this very successful alliance to insure stability in Europe? Will the results of our actions be to turn a superb military alliance into a political alliance with diminished military capability? If we do, will NATO survive?

Let me stress we have vital interests in maintaining a healthy and stable Europe. That's not the question. Europe's continued peace is vital. But is enlargement of NATO necessary to achieve that goal?

WHY IT IS NECESSARY TO ENLARGE NATO?

The proponents state the reasons for enlargement include, preventing a power vacuum from developing in Eastern Europe and promoting total European stability by reducing in risk of instability in Europe's eastern half. The concern appears to be if NATO does not offer membership, the countries of Eastern Europe will founder, will not become fully developed Democratic states, or will become embroiled in ethnic or nationalistic disputes based on historic rivalries like we see in Bosnia. Worse, this theory holds, they will again become part, either voluntarily or forced, of an alliance with a resurgent Russia.

The Clinton administration has steadfastly maintained the position that a stable Europe will be no threat to Russia and in fact will increase the security of Russia. However, the Russians do not see it that way and have consistently stated they are opposed to NATO expansion for national security concerns.

Part of the "why enlarge NATO" question should be the timing of such an enlargement. Unfortunately, part of the motivation of the timing of this venture is to have the first new members join at the same time as the 50th anniversary of NATO. Let me say again, we are thinking about altering NATO, fundamentally realigning our relations with Europe, risking our resources and committing our military for questionable national interests and basing the timing of such an important event on the 50th anniversary of NATO.

Mr. President, that is public relations. It is not foreign policy.

What are the alternatives to NATO enlargement? Perhaps an enhanced Partnership for Peace would provide the desired stability and military security in Eastern Europe instead of membership in NATO. Perhaps membership in the European Union, coupled with Partnership for Peace, would allow continued development of Democratic systems in Eastern European nations. Those alternatives should be part of the national debate.

Let's take a look at the cost of all of this. What are the costs of NATO enlargement? I am concerned with the widely varying values and assumptions used to arrive at the U.S. portions of the bill for enlargement. Since the Madrid Summit, it is clear that our allies are not on board for sharing costs of enlargement. Until this plan for sharing is established and agreed to, how can we know what our actual costs will be and why we should proceed? If our allies refuse to carry what we feel is their fair share, given our defense responsibilities, will the United States pay more? And, if so, asking American taxpayers to up the ante would be most difficult.

Just as we have seen in the Bosnian operation, unexpected funding for DOD has directly affected the much-needed military modernization and procurement programs. Why should we be willing to risk the future of our military capability in defending our vital national interests by rushing into NATO enlargement without confidently knowing, in great detail, the costs associated with the enlargement and what our allies and the new members will and are capable of funding.

What will be the Russian reaction to NATO enlargement? Mr. President, just yesterday Susan Eisenhower and several distinguished foreign policy experts came to the Senate and testified before myself and Senator SESSIONS and Senator COLLINS and Senator STEVENS and others as to why they felt

NATO enlargement was the wrong step at the wrong time.

The most important concern that must be well understood is the reaction of the Government of Russia to the enlargement of NATO. If we get this wrong, the need for enlargement will be self-fulfilling and we will again need a strong military alliance facing east. We are in danger of awakening the Russian bear, not taming him and putting him in a cage.

Aleksei Arbatrov, the deputy chairman of the Russian Parliament's defense committee, was recently quoted as saying that the way in which an expanded NATO was imposed on the Russians "was a shock for those trying to improve relations." He added there "was a widespread feeling of betrayal among Russian Democrats."

Mr. Arbatrov predicted Russia could turn to a strategy of first-strike nuclear capability to combat what is perceived as a NATO threat on its doorstep.

"There is no chance whatsoever" that Russia's Parliament would ratify START II or START III, Mr. Arbatrov said.

I know that the Russians have joined the Partnership for Peace, signed the Founding Act, and have been officially quiet, semiquiet, about three potential new NATO members. However, there can be no doubt that all factions of the Russian political system are opposed to the expansion. What they see is a military alliance moving eastward, ever closer to their borders.

We cannot allow Russia to dictate our actions or the actions of NATO. Let that be perfectly clear. But it would be most dangerous to embark on such an important foreign policy matter as NATO enlargement without fully understanding or accounting for the Russian concerns. That is what Susan Eisenhower stated. That is what the other foreign experts stated.

Why are the Baltic States and NATO such a sensitive issue to Russia? There are at least two reasons. Addition of the Baltics would move NATO's borders to Russia, and a section of Russian territory, including the city of Kalinningrad, would be completely surrounded by NATO.

When asked about the Russian reaction to the addition of the Baltics to NATO, the Russian Ambassador to the United States said "the reaction would be fierce." Even with this understanding of the potential reaction by Russia, the administration continues to insist the Baltic States are likely to be asked to join in the next round.

I remain concerned we are approaching the Russian issue, Mr. President, with much bravado and arrogance with our fingers crossed behind our back.

Although I consider these three areas—why enlarge? what is the cost? and what will be the reaction of Russia?—to be the most critical, there are other areas of significant importance that must be part of the debate, Mr. President. I look forward to discussing these three and the others in detail in the coming months. NATO enlargement is the most important foreign policy and military decision the United States will make or has made for many years. We must make the right decision.

And again, Mr. President, I thank the distinguished Senator from Texas for leading the charge in asking the right questions, the complex questions that must be asked before the Senate considers either in committee or in the Chamber later the ratification of NATO.

Mr. President, may I ask how much time I have consumed of the 25 minutes that was yielded to me?

The PRESIDING OFFICER. The Senator has spoken for approximately 20 minutes.

Mr. ROBERTS. If I might, I would just like to touch, I would tell the distinguished Senator from Texas, on a related matter, if I could, for another, say, 2 or 3 minutes, if I might.

What I would like to talk about is the reaction in regards to how the American people feel about this. It is the American public that must be fully informed and aware of what responsibilities NATO will entail and what expansion would mean to our American men and women in uniform.

What about the American public? Last April, the Roper Starch worldwide poll asked Americans the level of support for using armed forces in certain situations. I don't think the American people are isolationist, but I think there is understandable concern about risking American lives in political wars of gradualism.

The Senator from Texas went to Bosnia, Brcko, took a look at Tuzla and Sarajevo, and is very concerned about mission creep and again repeating the past mistakes in political wars of gradualism.

The American public understands that. If the United States were attacked, 84 percent of those polled supported using force—84 percent if we were attacked. I don't know about the other 16 percent. If our forces stationed overseas were attacked, 50 percent supported armed intervention. To safeguard peacekeeping within the framework of the United Nations, the support dropped to 35 percent. Hello. And to stop an invasion of one country by another, which is called for in article V in regard to NATO expansion, the support fell sharply to 15 percent.

I took my own poll. It was after the Dodge City Rodeo in August. I met with the Ford County, KS, wheat growers. They are good friends of mine, long-time friends and constituents. I told them I was going to the Czech Republic, Bosnia, and Hungary. The price of wheat depended in part on world trade and security. The heads nodded. But in that particular case, I tell my distinguished friend and colleague from Texas, there wasn't much support until we took a hard look in regard to Bosnia and to NATO enlargement. As a matter of fact, one farmer said, "My son is over there. He is a foreign linguist in the National Guard unit over there. He should be back." So I think we really need to demonstrate not only to the Ford County, KS, wheat growers but to all Americans as evidenced by this poll what are our vital national security interests in regards to NATO expansion and answer those tough questions about cost, what happens in relation to Russia and what happens in terms of the long-term best interests of our foreign policy.

Again, I thank the Senator from Texas and I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Before the distinguished Senator from Kansas leaves the floor, I do appreciate so much this Senator's leadership on the issue of Bosnia and the issue of NATO expansion because he is one of the Senators who has taken the time to go to Bosnia, to look firsthand at the conditions there to determine what is in the United States security interests and certainly the best interests of the people of Bosnia.

I would just like to ask the Senator from Kansas before he yields the floor to tell me and the American people about the experience that he had in the resettlement-of-refugees issue.

What did the Senator see with his own eyes that brought him to the same conclusion that I have come to, that we are barking up the wrong tree in putting U.S. troops in harm's way before the people of this country have come to a settlement themselves?

Mr. ROBERTS. I would be happy to respond to my colleague.

As my colleague knows, I have discussed at length the original purpose of the Bosnia mission was to safeguard our troops—that is, the peacekeeping role—and to try to do what we can in regard to technology restoration, to nation building, to the possibility of the location and capture and prosecution of war criminals and then refugee resettlement.

In response to the Senator's question, it is that part of the goal that is especially difficult. Now, I think we have come from peacekeeping to peace enforcement. I think we have come far afield from the original goal in that we are now disarming the police in regard to Mr. Karadzic's troops, and I think in regard to what I am able to understand from our intelligence community we are aggressively going to locate, capture and proceed with war criminals.

Now, as I have just indicated, we have a situation where the SFOR

troops have taken over TV transmitters. So I think the Senator from Texas makes a good point in terms of mission creep.

But in answer to the specific question, flying in the helicopter with a one-star over there from Tuzla where our American forces have their headquarters, we went over a small hill, and on the knoll of the hill there used to be 60 Muslim families that lived there, and during the fighting since 1993 there was tremendous bloodshed, there were atrocities very close by, and obviously that particular piece of real estate is not inhabited any more by the Muslims. So there was an attempt by SFOR and by NATO to relocate these refugees on that hill.

Three times they tried it. The first time, with 60 people, they tried to relocate on the hill, they were driven away by rocks and stones and shouts and intimidation by the Serbs in that area. The second time they tried, it got a little tougher. We were also involved in the building of new homes, in terms of financing those new homes. Then you got into some home destruction.

Well, the third time, they were met by an angry crowd with 2x4's. They burned the homes down. And we have pictures of them attacking the Muslims, the 60 people we were trying to relocate, with 2x4's. And I asked the one star, I asked the general, "Are we going to try it again?" He said, "No, I don't think that's a very good investment of our tax dollars or our time and effort." I think we got the message. He suggested if we have successful refugee relocation, we should do it in Brcko. The Senator from Texas has been there, and I ask her now what her observation was about how that refugee resettlement effort is going. And I thank her for asking the question.

Mrs. HUTCHISON. I thank the Senator from Kansas. I thank him for taking the time to go over there, to look firsthand, because I think you get a very different perspective when you are able to do that. I appreciate the leadership position the Senator from Kansas is taking. I will just say that I had a different experience walking on the streets of Brcko in August. But I came to the same conclusion, after going into the home of a Serb, going into the street and talking to a Muslim who was just resettling into the neighborhood where that person had lived before. I asked each individually, "Are you working with your neighbor to help them resettle into their homes?"

I asked the Serb about the Muslim. "Oh, no, no. We are not doing that because we know that they are occupied and they have their own problems. We wouldn't want to disturb them."

So then you ask the Muslim, "Have you met your Serb neighbor? Have you had a chance to visit or have coffee with your Serb neighbor?" And the answer was, "Oh, no, no, we actually haven't. We have not been able to do that."

These are people who are living in homes that are 5 feet from each other, 10 feet. The streets are very narrow. Yet, they are not mixing.

I think we have to look at the big picture here. American people are very generous. We want to help the people of Bosnia. But I think what we are trying to do is help them in a way that will provide a long-term peace, an economic stability. And doing things that are inherently unpeaceful, putting our U.S. troops in harm's way, I don't think is the right answer. That is why I am saying let's go back to the table at Dayton. Let's determine where we are.

I will give this administration a lot of credit for keeping the parties apart, for trying to forge a peace. Now I ask this administration to say we have had 2 years of Dayton, let's assess it. Let's see if this is the right direction. Because I don't think it is.

We have witnessed elections in which the people who come in to vote come in under armed guard, they vote, they leave under armed guard. We have elected Muslims who cannot even enter the city to take control of the government to which they are elected to serve. We have elected Serbs, where they are not able to reenter. We are declaring victory. I am missing something. We have elected governments that cannot serve, that cannot even enter the cities in which they were elected. And we are declaring this to be a victory? I think we need to have a reality check.

That brings me to the bigger context of NATO expansion and cost, and just how much should the United States absorb when we are talking about issues where we want to be helpful but we want to make sure that our money is going toward a successful endeavor. That is where, I think, this administration is not being realistic.

Take the idea of NATO expansion. I think all of us in this country believe that NATO is the best alliance that has ever been put forward on the face of the Earth. Because of its strength, it never had to fire a shot and the cold war was ended. Now we are looking at expanding NATO and the hearings are starting this week to do that very thing. I think the questions that Senator HELMS is asking are the very important questions that must be answered if we are going to expand NATO in a responsible way and in a way that sets a base for a long-term stability in Europe.

Senator HELMS is not saying I am for a NATO expansion period. He is saying I am for NATO expansion if it is done right. The "if it is done right" seems to be lopped off and not given very much attention. I think it is time the administration gave the "if it is done right" portion of Senator HELMS' statement its due. Because if it is done right, it will continue to be the greatest alliance that was ever formed on the face of this Earth. And if it is done wrong, it will be the unraveling of the greatest alliance that was ever put on the face of the Earth.

So we have the choice, of whether to keep NATO strong and stable by expanding responsibly or whether we just expand willy-nilly. America will absorb all the costs, and then the American people will say, wait a minute, I don't intend to completely prop up Europe without a fair share taken by our allies in Europe.

That question becomes very important because just this last week in the Washington Post there was a report on the meeting of NATO defense ministers at which our own Secretary of Defense, William Cohen, participated. The reporter for the Washington Post says that this was, in fact, a startling meeting because the NATO defense ministers voiced serious misgivings about the United States insistence that they, along with the new members to be brought into NATO, would carry the bulk of the expenses related to NATO enlargement.

You see, President Clinton has told the American Congress that the American share would be $2 billion over 10 years—$200 million. That is something I think American taxpayers would willingly absorb. But there is a lot of disagreement about those numbers because, in fact, we do not know what is in the requirements for NATO expansion. So, to have numbers before you have requirements is the cart before the horse in most people's books.

The European allies said that they did not think it was right for America to take $2 billion of the $35 billion which the Clinton administration estimates NATO expansion will cost, and they are objecting to paying $16 billion from the present membership. In fact, the ministers from Germany, France, Great Britain, and the Netherlands expressed dismay and insisted that the burdensharing debate must be viewed in a wider context.

You see, Secretary Cohen was right. He said the right things. He said that any shortchanging on defense investments by existing members or new partners would lead to a hollow alliance and ultimately erode confidence in future rounds of enlargement. Secretary Cohen is sending up the red flag of warning because he, too, is saying, do it right.

Let's look at the amount of gross domestic product that is spent by NATO members. The United States spends 3.8 percent of gross domestic product on defense. This is 3.8 percent of the domestic product of our country, the whole domestic product. The United Kingdom spends 3.1 percent, Germany spends 1.5 percent, France spends 2.5 percent. And they are saying they are not going to spend any more than that.

So I think we need to be forewarned that our European allies are not committing to the same numbers that the United States is. I think we have to put that in perspective. Because General Shalikashvili, who just left the chairmanship of the Joint Chiefs of Staff, was lamenting the fact that we don't have enough money in our defense budget to properly train our troops for peak readiness. He says we don't have enough money to buy parts or equipment. Yet, we are spending $3 billion a year, on average, in Bosnia, pursuing a policy that has yet to be defined, with no exit strategy and with the administration now saying it is probable that we are going to extend the troops with no defined end when he has already extended the mission nearly 2 years beyond the first limit that he set.

Let's take another example. Just yesterday the President vetoed almost $300 million of military construction in the United States. He vetoed such operational projects as a corrosion control facility, headquarters facilities that would enhance command, control and communications, ammunition storage facilities—$300 million in America. At the same time, he approved the expenditure of military construction in Europe for NATO enhancement of over $150 million. What kinds of projects did he approve for NATO? Ammunition storage facilities, administrative buildings—the exact same things he vetoed for military construction in the United States, for our bases, for our readiness.

So I do have a problem when the outgoing chairman of the Joint Chiefs says we are not spending enough for our own readiness, for our own military personnel, when the President vetoes military construction which was in the Defense Department's 5-year plan, saying these were not priorities, while at the same time signing military construction of $150 million in Europe for NATO enhancement.

So, I have to say the issue of our own readiness is a key issue here. If we are going to spend $3 billion in Bosnia for a policy that has, I think, minimal chance to succeed and the outgoing Chairman of the Joint Chiefs is saying we don't have enough money for our own readiness, what are we doing as the stewards of this country, as the ones responsible for our own national defense, our readiness, our troop morale, our quality of life for our troops, our taxpayers, and, most of all, for our own security threats, when we would veto our own military construction and put half that same amount into European construction? And when we know that we are not spending enough to keep our troops ready for the eventual real threat to the United States that could come from an incoming ballistic missile, for which we do not have the defense; from a terrorist nation that would do any kind of bombing of our own people, either on our shores or off? Are we building up for the potential threat in Korea, in the Middle East?

I just have to ask the administration to think about these issues as we look at our own situation and our readiness and our strength. Are we doing everything we should for our own troops, for our own military construction, for our own quality of life for our men and women who are serving in the military? Or are we dissipating our resources in operations that are not defined, that have no exit strategy, in places like Bosnia and Somalia and Haiti?

I would just ask the question, Do we have our priorities straight? When we look at the issue of NATO expansion, we must look at the cost. It must be nailed down. It must not be a moving target. It must be clear. And we must tell our European allies exactly what we will do, and not be badgered into taking more than our fair share of the cost of European security. We do want to step up to the line. We do want to be the major superpower in the world, and fulfill our responsibilities. But we are already spending more of our gross domestic product on national defense than our European allies spend. I think the American taxpayer has the right to ask the question: Are we spending the dollars for our own security? Are we doing our fair share for the humanitarian needs of this country, and for the countries that we are trying to help? Are we spending the dollars wisely? That is the question.

I think as we move toward NATO expansion, we must be good and responsible stewards for the American taxpayer, and, more important, we must be good and responsible stewards of the national defense of our country. We must meet the test, for our young men and women in the military who have pledged their lives to preserve our freedom, that our commitment to them is commensurate with their commitment to the United States; that we will guard them with respect, with a quality of life that allows them and their families to live with a high standard of living, and that we will make sure that wherever they are, in the field or on our shores, that they have everything they need to do their job.

I think if we are going to keep that commitment to them and to the American people, we must ask the questions about NATO expansion, about our mission in Bosnia: Are we spending the dollars wisely and are we assured that when we put our United States troops on the ground that there is a United States security threat and risk that requires that action?

Mr. President, those are the questions that I hope Senator HELMS, in his hearings this week on NATO expansion, will focus on and not allow fuzzy, vague, moving-target answers from the administration. The American people and our young men and women in the service deserve no less than total responsibility and total answers to those questions.

Thank you, Mr. President. I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SESSIONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. I ask unanimous consent that I be recognized to speak in morning business for such time as I may consume.

The PRESIDING OFFICER. The Senator from California is recognized for 10 minutes, under the previous order.

Mrs. FEINSTEIN. Mr. President, the Finance Committee recently approved fast-track authority for the President. I thought I might come to the floor and express some of my very serious concerns about this proposal.

Let me begin by saying to those who would paint every Member of Congress who has a problem with the fast track proposal with some broad brush calling us protectionists or xenophobic. I, for one, am not.

Trade is very important to my State. California is the seventh largest economy on Earth, and we produce 20 percent of the Nation's exports. Exports are one of the largest growing economic sectors in my State. More than 1 million jobs in California are directly related to trade, and that number is growing. So I see free and fair trade as an integral part of California's economic future, and it is my responsibility as a U.S. Senator representing that State to see that the concerns and issues and industries of my State are protected in agreements, or at least as nearly as I can do so.

As I see it, America already has the most open markets in the world, but the problem is that this openness isn't reciprocated by many of our trading partners, and that brings us to the present situation.

Article I, section 8 of the Constitution gives Members of this body constitutional responsibility for matters of trade and the economy. Fast track is essentially a surrendering, an abrogation, of those constitutional responsibilities provided to this body by the Constitution of the United States. I, for one, see no reason why we should surrender that.

Essentially, fast track is simply the ability of the administration to negotiate a trade agreement, then bring it quickly to the Congress, get it ratified within a specific period of time, without congressional opportunity to amend it in any way, shape, or form.

The administration claims that fast track authority is needed to keep our

economy growing strong, to allow our companies to compete with those of the European Union and Japan in growing markets such as South America and the Pacific Rim and to maintain America's symbolic commitment to free trade by letting the President negotiate agreements without fear that Congress is going to mettle in any of the details.

In my view, that argument flies in the face of reality. Since President Clinton has taken office, 220 trade agreements have been negotiated with foreign nations. Only two of those required fast track.

In recent years, U.S. exports have been the strength of the economy. U.S. exports increased 50 percent since 1991 without fast track. Today, exports are 30 percent higher than in 1993.

According to trade data released by the International Monetary Fund, United States exports to Brazil, South America's richest market, grew 56 percent from 1994 to 1995. During that same period, the European Union's exports to Brazil grew only 8 percent, while Japan's exports grew only 18 percent. This growth in U.S. exports has occurred without fast track authority. As a recent Wall Street Journal article citing the IMF data, pointed out, U.S. exporters hardly seem handicapped without fast track.

So arguments that the United States cannot negotiate trade agreements without fast track I think are specious. Further, to argue that without fast track the United States risks losing the jobs that come with robust trade begs the question of how previous fast-track agreements have fared in this regard.

Once again, I did not vote for NAFTA, but NAFTA was my first experience with fast track. Once spurned, hopefully twice learned. Under NAFTA, the United States $1.7 billion trade surplus with Mexico in 1993 became a record trade deficit of $16.3 billion by 1996. The balance of trade has gone exactly the wrong way.

Our balance of trade with Canada has also grown, more than doubling from $11 billion to $23 billion annually.

Let us look at GATT, another important trade agreement. The GATT agreement has contributed to the largest merchandise trade deficit in U.S. history. Today, it is at an all-time high of $165 billion.

I think these experiences combine to present an eloquent statement that says: Go slow. Fast track may well backfire. In the future it may not be as desirable as some claim.

If we look at the currency problems in certain southeast Asian countries, we can identify some of their trade strategies. I think what happens, as a result of some of the financial problems, is these countries push for more exports to our country and they close their markets to our products. This is a very real danger signal for the future. I think it indicates that as a nation we should go slow. We need to be very careful and deliberate in these negotiations.

The Commerce Department estimates that every $1 billion in exports equals between 14,000 and 15,000 jobs. Based on that calculation alone, the United States has lost hundreds of thousands of jobs as a result of these trade deficits. The administration claims a modest increase in U.S. net exports as a result of NAFTA, but the jury is still out.

These mounting trade deficits should be a loud and clear message that America should negotiate better trade deals, rather than give up congressional responsibility through fast track.

The bottom line is that Members of Congress are being asked to forfeit our ability to offer amendments to any trade agreement with no guarantee that the major industries of our States will not be disadvantaged by those agreements. Under fast track, Congress is left with no recourse except to vote against the whole agreement.

The President tried to address some of these concerns in the proposal he sent to Congress. But the goals and objectives of the President's fast track proposal are still just that—goals and objectives. Previous fast track agreements have demonstrated why this is just not good enough.

For me, a Californian, NAFTA was a big case in point:

NAFTA had an immediate negative impact on the California wine industry. The California wine industry produces 90 percent of our Nation's wine and 90 percent of the wine exported by the United States.

Coincident with NAFTA, Mexico gave Chilean wines an immediate tariff reduction from 20 percent to 8 percent and a guarantee of duty-free status within a year. By contrast, United States wines face a 10-year phaseout of a much higher Mexican tariff, leaving U.S. wines at a significant disadvantage in the Mexican market. It is actually a wipeout of our market share of wine in Mexico.

The result of this tariff inequity was predictable. Exports of all U.S. wines to Mexico have dropped by one-third since NAFTA went into effect, while Chilean wine exports to Mexico have nearly doubled. The size of the Chilean gains virtually match the size of U.S. losses. Chilean wine picked up the market share lost by the U.S. wineries, dominated by California.

During the NAFTA debate in Congress, the administration pledged to correct these tariff inequities within 120 days of NAFTA's approval. Let me quote from a letter to Members of Congress from then U.S. Trade Representative Mickey Kantor dated November 8, 1993:

Pursuant to your request, you have my personal commitment that, within 120 days of the coming into force of NAFTA, I will personally negotiate the immediate reduction of Mexican tariffs on US wines to the level of Mexican tariffs on Chilean wines and, thereafter, have them fall parallel with future reductions in such tariffs.

I personally talked with Mr. Kantor at least three or four times on this issue. I also talked with the President, as well as others in the White House. This was a glaring discrepancy, and the whole administration made a commitment to correct the discrepancy.

You would think that at least by today, 3 years later, the tariffs would be parallel. But 3½ years later, these inequities remain enshrined in the agreement. As a matter of fact, as the result of an unrelated trade dispute, Mexico actually raised tariffs on United States wine back up to pre-NAFTA levels of 20 percent, increasing the tariff from the 14 percent it had reached under NAFTA. Rather than drop to zero within 10 years, the tariff is now 20 percent, a wipeout for an American market share.

Another product of fast track, the General Agreement on Tariffs and Trade, known as GATT, also contained monumental inequities that seriously disadvantaged California's wine industry. Prior to the Uruguay round of GATT, major wine competitors had wine tariffs that were almost four times the United States tariff on an ad valorem basis.

But, even though the United States had the lowest tariffs of any major wine producer, United States negotiators agreed in the Uruguay round to drop United States tariffs by 36 percent over 6 years, while the world's largest wine producer, the EU, dropped its tariffs by 10 percent. As a result, the current U.S. tariff on all wine products is an average of 2.4 percent. That is far lower than the EU's current average tariff of 13 percent.

The PRESIDING OFFICER. If I may, the Senator's 10 minutes have expired.

Mrs. FEINSTEIN. I would like to finish this.

Mr. GRAMM. I ask that the Senator have an additional 2 minutes.

Mrs. FEINSTEIN. Pardon me?

Mr. GRAMM. I ask unanimous consent that the Senator have an additional 2 minutes, if that would solve the problem.

Mrs. FEINSTEIN. I accept that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. If I do not finish it, I will perhaps get on the queue and come back later. I thank the Senator from Texas. I thank the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. FEINSTEIN. I have some very specific concerns about fast track that are not adequately addressed in the current proposal.

First, tariff inqequities: As I said, the United States is already the most open market in the world. But our trade

agreements have sometimes disadvantaged American industries by not requiring a level playing field with other nations. All too often, the price of modest tariff reductions elsewhere has been further reductions in the already low U.S. tariffs.

Any future agreements should require that other countries meet our tariff level before we agree to lower our tariffs further. Any fast-track proposal would have to address this issue before winning my support.

There should also be stronger enforcement mechanisms included when trade barriers are not lowered as provided for in an agreement. Half the problems with previous trade agreements have stemmed from nonenforcement. A recent report from the American Chamber of Commerce in Japan said more effort must be dedicated to enforcing existing agreements.

For example, Europe simply did not accept the GATT commitments on audio visual services, instead, maintaining its 1989 European Union Broadcast Directive. This EU directive limits the market for U.S. movies and TV broadcasting.

Another example is an agreement signed with China in May of this year which grants the United States access to Chinese markets for table grapes. However, despite the agreement, China maintains a 55 percent tariff on United States table grapes, presenting a significant barrier to United States exports.

Second, phytosanitary standards:

In addition to tariff inequities, disagreements over phytosanitary standards continue, and are often used as de facto trade barriers. For example: Japan's stringent tests for pesticides on American nectarines, cherries, and other fruit continues to deny market access for United States products.

Another example is Chile: The United States imported 1 billion trays of fresh vegetables from Chile during the 1996–97 growing year, while the United States exported no similar products to Chile during its growing year—why?—because of Chile's phytosanitary restrictions on imports of United States poultry, fruit, and vegetables, which has effectively banned all imports of these goods.

The President's fast track proposal—section 2(b)(6)(C)(iii)—states that unjustified phytosanitary restrictions should be eliminated, but there is no language requiring that scientifically based standards be established before a trade agreement can be signed.

Third, dispute resolution: The previous free trade agreement with Canada, and the NAFTA agreement, established a process for resolving disputes. But the process does not always work. For example:

California growers have complained in the past about Mexican inspectors being unavailable at the border, so shipments are delayed.

There is also no timely method of solving a dispute within a matter of hours. This is important when perishable goods are sitting at a border or a port warehouse awaiting a decision.

A bigger problem now is that if a Mexican inspector finds a pest and does not know whether that pest is subject to quarantine, it reportedly takes a week for the inspector to find out. No shipper can leave fruit sitting at the border for a week.

In January of last year, Mexico shipped over 8,000 boxes of brussels sprouts to the United States market causing the price to drop literally in half. This product dumping caused the price to drop to a level from which the brussel sprout industry could not recover during that season.

The dispute resolution process needs to be strengthened to include a mechanism for swift resolution—within 48 hours—when a dispute involves perishable commodities.

Fourth, environmental standards: I agree with many of my colleagues that we should not encourage a race to the bottom, in which the country with the weakest environmental protection wins the prize of economic growth.

We all know that pollution knows no geographic boundaries. U.S. commitment to preserving the quality of our environment should be as vigorous as our commitment to open markets, and that commitment should be reflected in our trade agreements to the greatest extent possible.

For example, large numbers of American companies have located in Mexico. The pollution from these companies goes into the New River, which flows north into the United States, terminating at the Salton Sea. I have flown over the New River, and I have seen first hand the extent of the pollution which is killing the Salton Sea. No companies in the United States can do what is being done in Mexicali.

Also, Mexican farmers have access to pesticides and other chemicals that are not available to American growers. These disparities will only increase as we enforce our own laws.

California growers will soon face an uneven playing field regarding the use of methyl bromide, a widely used soil and post-harvest fumigant. Under the Clean Air Act, the United States is phasing out the use of methyl bromide by 2001, but our trading partners will continue to use the chemical. Moreover, many of our trading partners require our growers to fumigate their crops with methyl bromide before the commodity is shipped.

U.S. requirements to control particulate matter will add costs to U.S. producers, while no comparable requirements are being imposed on many of our trading partners.

Our trade agreements should encourage our trading partners to live up to the highest environmental standards, not put added pressure on American companies to lower our standards.

Fifth, manufacturing base and labor standards: I also share the concern raised by many of my Democratic colleagues that we need to be particularly careful to protect our manufacturing base, and not undermine labor standards, as we negotiate new trade agreements.

At one point, California was home to six automobile manufacturing plants, but today we are reduced to one. Once we lose our manufacturing capacity, I am very concerned it will be very difficult if not impossible to reclaim.

Akio Morita, the chairman of Sony, made a blunt assessment of the situation: he said America will cease to be a world power if it loses its manufacturing base. I wholeheartedly agree.

Service jobs, like energy and transportation services—which have fueled much of my State's economic rebound—are important, but can't compensate for the loss of higher-wage manufacturing jobs in this country. And if we lose our manufacturing base, we lose the service jobs, technology advances, and innovation that go with it.

U.S. manufacturers already face enormous pressure to relocate manufacturing capability abroad to meet the regulatory and competitive demands of foreign nations.

The Semiconductor Industry Association, representing the makers of computers chips, says 30 percent of their investment abroad is due to chipmakers' desire to avoid high tariffs or meet a foreign government's requirement that manufacturing be done in their country, in order to sell in an otherwise closed market.

For example: China's $3 billion semiconductor market is growing rapidly. But they have a closed market, imposing high tariffs unless the manufacturer builds a plant in their country.

This is a $132 billion worldwide market and is expected to reach $245 billion market by the year 2000. California is the Nation's leading chip producing State, so this is enormously important to my State.

U.S. trade agreements must aggressively tear down the trade restrictions that force U.S. manufacturers overseas.

U.S. manufacturers often cannot compete with foreign countries on wage costs.

One of the arguments advanced by NAFTA supporters was the expansion of trade will boost the economies of our trading partners—and theoretically their wages—and expand the demand for our products in return. However, based on our NAFTA experience, the theory has not materialized.

According to the Labor Department, the wage gap between United States and Mexico workers is widening, rather than narrowing. In 1993, Mexican wages were 15 percent of those in the United States. Today, they are 8 percent.

This decline in wages is not solely the effect of the Mexican peso crisis. In 1994—before the peso collapse—real hourly wages in Mexico had already dropped to nearly 30 percent below their 1980 level—UC-Berkeley sociologist Harley Shaiken.

Mexico's financial problems only exacerbated the trend. Since 1994, real wages in Mexico have dropped another 25 percent to roughly half their 1980 level.

Clearly, NAFTA has not yet improved the wages of Mexican labor.

Conclusion: Any fast track legislation must contain the following assurances:

There must be a mechanism for swift and effective dispute resolutions.

There must be language included stipulating that any agreement negotiated under fast track must set equal tariffs between the United States and our trading partners before the United States agrees to lower tariffs further.

There must be mandatory mutual acceptance of scientifically-sound phytosanitary standards.

There must be enforceable environmental standards in place.

And there must be labor and wage provisions, and aggressive reduction of trade barriers, to protect our manufacturing future.

Without these assurances written into the bill, I am very concerned that extension of fast track authority would give away, once again, the only ability I have as a U.S. Senator to influence trade agreements to see that they are responsive to the concerns of my State and important industries.

Until these concerns are addressed, Mr. President, I must oppose any extension of fast-track authority.

CAMPAIGN FINANCE REFORM

Mr. SMITH of New Hampshire. Mr. President, I rise to speak in opposition to the motion to invoke cloture on S. 25, the McCain-Feingold campaign finance reform bill.

Throughout my years in Congress, I have supported efforts to reform campaign finance laws. I have, for example, voted to eliminate political action committees and to prohibit the use of the congressional franking privilege for mass mailings.

Along with Senators GREGG, TORRICELLI, and JOHNSON, I am cosponsoring in this Congress legislation to establish a bipartisan commission that would recommend campaign finance reforms. The Claremont Commission Act, which is named after the agreement reached between President Clinton and Speaker GINGRICH at a meeting in my home State of New Hampshire, would establish a nine-member commission to examine campaign finance rules and propose comprehensive legislation for reform.

The Claremont Commission would make recommendations based on good policy, not politics. The creation of such a commission finally would make good on the promise that President Clinton and Speaker GINGRICH made when they shook hands in Claremont in May, 1995.

Mr. President, the McCain-Feingold campaign finance reform bill is seriously flawed. Indeed, I believe that it is unconstitutional because it unduly restricts the freedom of speech that is guaranteed by the first amendment to our Nation's Constitution.

The bill's ban on soft money is a restriction on free speech. Even worse, in my view, the bill's severe limitations on so-called issue advocacy advertisements that mention a candidate's name, or show the candidate's likeness, within 60 days of an election, involve a direct regulation of the content of political speech.

Out Nation's founders meant to allow free, open, and robust political speech and debate. The McCain-Feingold bill, however, moves to limit free speech and debate. I wholeheartedly agree with my distinguished colleague from Kentucky, Senator MCCONNELL, as well as the many constitutional scholars whose views he has cited, that the McCain-Feingold bill goes too far in regulating and restricting free speech and, therefore, is unconstitutional.

I believe that any meaningful campaign finance reform proposal ought to require candidates to disclose completely to the American people what they spend on their campaigns and from whom they received campaign contributions. Full disclosure, not limitations on free speech, is the right kind of campaign finance reform.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

(The remarks of Mr. GRAMM pertaining to the introduction of S. 1260 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, we are due to recess.

Mr. GRAMM. Mr. President, we have two other speakers here. I assume they are going to want to extend morning business. If I can, without seeing the Senate adjourn, why don't I yield the floor to Senator WYDEN and he can ask unanimous consent for himself and Senator FRIST, that they each have an opportunity to speak briefly before we adjourn.

I yield to Senator WYDEN.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank my colleague from Texas. I ask unanimous consent, Mr. President, that I be allowed to speak as in morning business for 5 minutes and that Senator FRIST may speak as well for 5 minutes, and there may be at least two other Senators that would like to speak as in morning business for 5 minutes.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Senator THOMPSON from Tennessee be accorded 5 minutes before the luncheon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that Senator FEINSTEIN be allowed to speak for 5 minutes, as well, as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAMS. Mr. President, I ask unanimous consent to be allowed to speak for up to 5 minutes also before the recess.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, I also ask unanimous consent that Senator DODD be allowed to speak for up to 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAMPAIGN FINANCE REFORM

Mr. WYDEN. Mr. President, my first official act as a new U.S. Senator, taken 15 minutes after I was sworn in, was to become a sponsor of the bipartisan campaign finance reform bill that the U.S. Senate will begin to vote on later today.

I strongly believe that political campaigns should be about people and not money. But that is not what is happening in America today. Campaign finance activity has become like the arms race—one side gets $10, the next side gets $20, the other side comes back and gets $30. It spirals up and up—spending that is out of control, spending that is simply unaccountable to voters.

Every Member of the U.S. Senate has devoted hours and hours to fundraising. Every Member of the U.S. Senate knows that when there is an election that Tuesday in November, folks sleep in on Wednesday, and then in November it starts all over again. Every Member of the U.S. Senate knows that America deserves better.

I don't agree with every part of the McCain-Feingold bipartisan campaign finance legislation; I would not pretend otherwise. And I think that is true of many of the sponsors of this legislation. But if this bipartisan bill passes, candidates in America are going to spend more time talking to voters in shopping malls and less time working the phones raising funds. That is going to be good for democracy in America, and I hope the Senate passes this bipartisan bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

(The remarks of Mr. FRIST pertaining to the introduction of S. 1261 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

CAMPAIGN FINANCE REFORM

Mr. GRAMS. Mr. President, I wanted to comment a little bit on the campaign finance debate that is going on.

Mr. President, over the last several months, Americans have expressed grave concern over the daily reports of alleged illegal or improper campaign contributions to the Democratic National Committee and White House during the 1996 campaign cycle. These reports have raised the perception among some Americans that access and votes can be bought in Washington and that the system for financing our Federal campaigns is corrupt and broken.

Consequently, there have been many proposals introduced in the Congress that are intended to change the way in which campaigns for Federal office are financed. Most of these proposals call for enacting new limits on how Americans can exercise their political freedoms. Their stated purpose is to ultimately restore the trust of the public in their Government.

I share the concerns about these reports of irregular and even illegal fundraising during the 1996 elections. However, I disagree that the way to respond to these concerns is to pass new laws that would do nothing more than limit the ability of Americans to exercise their political freedoms guaranteed by the first amendment.

The first amendment has always been the basis for active citizen participation in our political process. The first amendment ensures that, among other things, average Americans can participate in our democratic process through publicly disclosed contributions to campaigns of their choice. It also allows Americans to freely draft letters to the editor, distribute campaign literature, and participate in rallies and get-out-the-vote drives.

In my view, the Federal Government can restore the integrity of our electoral process through greater enforcement of existing laws, increased disclosure of contributions and expenditures, and protection of the rights of Americans to become involved in the democratic process without fear of coercion. We don't need new campaign finance laws. Simply loading new laws upon those which have already been broken will not solve the problem. After all, if campaigns or donors would not obey the current laws, strengthened almost 25 years ago after the Watergate scandal, why would we believe they would obey a new set of rules? They simply can't.

The whole exercise is a public relations scheme designed to let the public think we are reacting—when we are not. To move in this direction would only threaten the ability of Americans to participate in the democracy which they have helped to create. Placing new limits or government controls are not the answer.

Mr. President, this leads me to my concerns with the McCain-Feingold proposal. While I commend the proponents of McCain-Feingold for making some minor changes to their initial proposal, such as removing the provisions providing for voluntary spending limits and restrictions on political action committees, the modified McCain-Feingold proposal still continues to suppress the rights of Americans to communicate their ideas and express their views.

For example, this modification is premised upon the belief that there is too much money spent on American elections. If we accept this assumption, then Congress has decided to assert questionable authority to suppress the rights of Americans to become involved in the political process and make their voices heard.

In fact, the belief that there is government justification for regulating the costs of political campaigns was rejected by the Supreme Court in the landmark case of Buckley versus Valeo. In Buckley, the Court declared,

> The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive or unwise. In the free society ordained by our Constitution it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

The McCain-Feingold proposal also fails to recognize that Americans have a right to petition the government and have their voices heard. Americans have both a right and obligation to make their views known and hold those that seek to represent them accountable for their actions or positions on issues.

Mr. President, I expect the American people will receive a full disclosure of campaign finance law violations. I believe the testimony before the Governmental Affairs Committee has thus far proved the need for the Federal Government to focus its efforts on greater enforcement of our existing laws and prosecution of those who violate the laws, before Congress seeks to pass new laws. Congress should not use violations of existing law to restrict political speech and participation by those who abide by current law.

In addition to more timely enforcement of our existing election laws, we should encourage greater disclosure of each contribution and expenditure. Fair and frequent disclosure of contributions by Federal office seekers will open up the political process to the electorate.

I am encouraged by the disclosure provisions contained within the McCain-Feingold proposals. We share the same goal of letting the sun shine on the process. I am sure there will be additional opportunities to debate this aspect of the McCain-Feingold proposal.

Finally, Congress should work to protect the right of Americans to participate in the democratic process without fear of coercion. Despite the Supreme Court decision in Communications Workers of America versus Beck almost 10 years ago, millions of Americans still have portions of their paychecks taken and used for political purposes for which they may disagree, without their knowledge or consent.

I believe forcing an individual to make compulsory campaign contributions is contrary to our constitutional form of government and the first amendment freedoms we enjoy as citizens. As Thomas Jefferson once said, "to compel a man to furnish contribution of money for the propagation of opinions which he disbelieves, is sinful and tyrannical." For these reasons, I support the majority leader's decision to offer the "Paycheck Protection Act" as an amendment to the McCain-Feingold bill. I do not consider this a "poison pill" to passage of campaign finance legislation, but rather effective medicine for our Nation's employees because it will allow individuals to regain control of their paychecks, avoid coercion, and exercise their political freedoms.

Finally, Mr. President, as we approach the next century, the Senate has the responsibility to restore the public's trust in their government and preserve the political freedoms that were enacted over 200 years ago. I remain hopeful that our actions here will not affect the ability of future generations of Americans to enjoy these same freedoms.

I yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized to speak for 5 minutes.

Mr. DODD. Mr. President, I thank the Chair. I may need a few more minutes than 5. I will see how things are going, Mr. President, and may request unanimous consent to proceed a bit longer.

(The remarks of Mr. DODD pertaining to the introduction of S. 1260 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

CAMPAIGN FINANCE REFORM

Mr. THOMPSON. Mr. President, I understand that the so-called Lott amendment will be considered this afternoon after lunch—an amendment to the campaign finance reform bill known as the McCain-Feingold bill. I want to address that briefly. I have given it serious consideration because I think it is a serious matter.

I must say that I agree with the underlying intent of this legislation. I support the concept of this amendment. I would like to see it enacted into law. I believe that American workers need all the protections they can get with regard to the matters that are addressed in this amendment. In fact, I intend to cosponsor freestanding legislation that would give us an opportunity to have an up-or-down vote on this idea.

But, Mr. President, as I look at this, I became concerned whether or not there is any chance of this amendment ever becoming law because, as I understand it, it is an amendment to the campaign finance bill. When I ask around whether or not those who are supporting the amendment will support the bill in case the amendment passes, I don't get any affirmative responses. In other words, as I see the state of play now, if we pass this amendment, then those who are primarily in support of the amendment will still oppose the underlying legislation. So there is no chance, as I see it, that the amendment or the ideas expressed in the amendment have any chance at all for becoming law in this process.

I am an original cosponsor of this particular legislation, the McCain-Feingold bill. I cannot align myself, even though I agree with the underlying intent, with an effort that has no chance of success in terms of passing any legislation or passing an amendment but that would, in effect, make sure that the underlying bill, McCain-Feingold, and the so-called Lott amendment, would both never become the law of this land. That is what we are faced with.

I must say it makes it a little bit more difficult for me when it is openly expressed as an effort to kill the underlying legislation.

So, Mr. President, I will do what I can for the rest of this Congress to see that the working men and women are protected in this regard.

I think it is a noble settlement. I think it is a good idea. There is freestanding legislation on this which I will support. But since I see no hope and no opportunity for this amendment to ever have the force and effect of law, then I cannot support it and will not.

Mr. FEINGOLD. Mr. President, I ask unanimous consent to be heard for 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I just want to express my gratitude and the gratitude of the Senator from Arizona for the statement of the Senator from Tennessee, the fact that he was an original cosponsor of this bill, he has been bipartisan every step of the way and has made this reform much more possible both in the past and today. And I thank him for his tremendous leadership on this issue.

RECESS

The PRESIDING OFFICER. The Senate stands in recess.

Thereupon, the Senate, at 1:01 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I ask to be recognized under my leader time just briefly.

The PRESIDING OFFICER. The majority leader.

THE SENATE SCHEDULE

Mr. LOTT. First, I apologize to my colleagues for having to take this time right now before the cloture vote. However, the last couple of weeks have been somewhat hectic in the scheduling of floor action, with the end of the fiscal year, appropriations bills, fast track and ISTEA legislation brewing, all looming over the Senate schedule. And I wanted to address the Senate before these votes occur.

Having said all that, I think all of my colleagues understand that one of the major roles of the majority leader is to set the Senate schedule during each day's session and during the week. Conversely, yesterday I watched with dismay as the minority leader filed a cloture motion to the pending campaign finance reform bill and further announced it would be his intention to continue that practice for the remainder of the week. Unfortunately, since I was not notified of the minority leader's intention, I could not be on the floor to respond.

I will say now that my response was really one of dismay. All Senators know that filing a cloture motion does affect the Senate schedule. Needless to say, if cloture is invoked, if more than 60 Senators voted to limit the debate, then the Senate must remain on that clotured item until disposed of, regardless of what the majority leader might have had in mind for the schedule for floor consideration during those few days.

So I say to my colleagues that I do regret the action, but I understand how these things happen. Sometimes we just can't get in touch with each other and there is miscommunication. But prior to that event, the Senate had basically conducted what I think has been an interesting debate, an informative debate, and I think a fair and constructive debate. As of yesterday afternoon at approximately 7:30 p.m., the Senate had been considering this campaign finance reform bill for parts or all of 6 days. The debate had exceeded 22 hours and has been basically evenly shared by both sides of the issue.

I ask unanimous consent the time spent on the debate be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Friday, September 26th (On the bill 10–3:45) 5'45"

Proponents:	
Daschle	21
McCain	24
Feingold	23
Kerry	30
Thompson	17
Torricelli	30
Dorgan	25
Total	170
Opponents:	
Lott	24
Bennett	49
McConnell	14
Ashcroft	25
Grams	12
Gorton	34
Total	158

Monday, September 29th (On the bill 12–6:10) 6'10"

Proponents:	
McCain	51
Feingold	04
Collins	13
Levin	13
Dorgan	21
Lieberman	39
Cleland	16
Durbin	20
Total	177
Opponents:	
Lott	05
Warner	05
McConnell	96
Bennett	15
Nickles	19
Hatch	10
Total	150

Tuesday, September 30th (Morning Business) 32"

Proponents:	
Daschle	04
Boxer	10
Wellstone	18
Total	32

Wednesday, October 1st (Morning Business) 2'01"

Proponents:	
Kennedy	08
Levin	17
Glenn	57
Total	82
Opponents:	
Thomas	10

Santorum	29
Total	39

Monday, October 6th (On the bill 1–7:30) 7'30"

Proponents:	
Feingold	51
McCain	15
Daschle	08
Reid	09
Johnson	19
Bryan	18
Bingaman	08
Bumpers	24
Levin	54
Collins	05
Total	211
Opponents:	
McConnell	40
G. Smith	07
Hagel	14
Gorton	34
Allard	22
Ashcroft	07
Shelby	09
Domenici	26
Burns	20
Total	179

Mr. LOTT. So I understand, especially in this case, though, there is a wish by the minority to try to control the Senate schedule. However, there are other pressing items that are pending on the Senate's calendar that require Senate consideration. Some of those include, but are not limited to, fast-track legislation, remaining appropriations conference reports, ISTEA, Amtrak, adoption and foster-care legislation and, hopefully, perhaps others.

In closing, I hope that all Senators understand that I will have to move to proceed to other legislative items after these two cloture votes if cloture is not invoked. I am announcing to my colleagues now, so that no Member will be surprised by my actions. For the record, I have held up my end of the bargain by making the campaign finance issue the pending business prior to the October recess. It was suggested we were going to delay it until the end of the week, or the end of the month, or the end of the session. I said at the time I had no intention of doing that. I thought we should have debate early and we should have every opportunity for Senators to express themselves. The Senate has been provided more than adequate debate on this bill, and I think that the important thing now is to go ahead and have these cloture votes. It appears to me that there is no consensus at this time on this issue. I will have more to say about this after the votes, and I hope that we can move on to other issues that need to be done before the close of the session.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I am very disappointed with the announcement made by the majority leader, but I am not surprised. He has said from the very beginning that he was going to devise a strategy that would kill campaign finance reform, and he may have done so in the interim. It is not our intention to schedule legislation. It is not our intention to in any way obstruct the desires of the majority leader to go on to other issues. But it is our desire to have a good debate about one of the most important pieces of legislation pending before the Senate.

While we have had a good exchange of views on this particular bill, we have not had a debate. A debate in the Senate, by its very nature, allows Senators to offer amendments, to exchange views with regard to the language of the bill itself. But we have been precluded from doing that. Why? Because the majority has disallowed the opportunity for anybody to offer an amendment. What kind of debate is that? We have been on it and off it intermittently for the last couple of weeks, but we have not had a debate, not one living up to the standards and the expectations of anybody with regard to this body. This ought to be a deliberative body. There is no deliberation when the tree is filled, the amendments are precluded, and the bill is pulled.

So, we will continue to persist, regardless of whether it is in the form of an amendment or a bill. Again, I would rather work with the majority leader. He mentioned being surprised. I guess now we both had that occasion. I am not going to talk about Pearl Harbor this afternoon, as he did on the 16th of September. But let us not surprise each other. Let us get on with trying to lead the Senate in a way that will allow us to complete our work. We are prepared to do that on this bill and every other bill.

I yield the floor.

BIPARTISAN CAMPAIGN REFORM ACT OF 1997

The PRESIDING OFFICER. Under the previous order, the clerk will report the bill.

The bill clerk read as follows:

A bill (S. 25) to reform the financing of Federal elections.

Pending:

Lott amendment No. 1258, to guarantee that contributions to Federal political campaigns are voluntary.

Lott amendment No. 1259 (to amendment No. 1258), in the nature of a substitute.

Lott amendment No. 1260 (to amendment No. 1258), to guarantee that contributions to Federal political campaigns are voluntary.

Lott amendment No 1261, in the nature of a substitute.

Lott amendment No. 1262 (to amendment No. 1261), to guarantee that contributions to Federal political campaigns are voluntary.

Motion to recommit the bill to the Committee on Rules and Administration with instructions to report back forthwith, with an amendment.

Lott amendment No. 1263 (to instructions of motion to recommit), to guarantee that contributions to Federal political campaigns are voluntary.

Lott amendment No. 1264 (to amendment No. 1263), in the nature of a substitute.

Lott amendment No. 1265 (to amendment No. 1264), to guarantee that contributions to Federal political campaigns are voluntary.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment No. 1258 to Calendar No. 183, S. 25, the campaign finance reform bill:

Trent Lott, Don Nickles, Jon Kyl, Slade Gorton, Mitch McConnell, Connie Mack, Larry E. Craig, Strom Thurmond, Gordon H. Smith, Kay Bailey Hutchison, Jesse Helms, Christopher S. Bond, Thad Cochran, Rick Santorum, R.F. Bennett, Bob Smith.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the Lott amendment No. 1258 to S. 25, a bill to reform the financing of Federal elections, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 266 Leg.]

YEAS—52

Abraham	Faircloth	McCain
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Hatch	Shelby
Coats	Helms	Smith Bob
Cochran	Hutchinson	Smith Gordon H
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Kempthorne	Thompson
D'Amato	Kyl	Thurmond
DeWine	Lott	Warner
Domenici	Lugar	
Enzi	Mack	

NAYS—48

Akaka	Feingold	Lautenberg
Baucus	Feinstein	Leahy
Biden	Ford	Levin
Bingaman	Glenn	Lieberman
Boxer	Graham	Mikulski
Breaux	Harkin	Moseley-Braun
Bryan	Hollings	Moynihan
Bumpers	Inouye	Murray
Byrd	Jeffords	Reed
Cleland	Johnson	Reid
Conrad	Kennedy	Robb
Daschle	Kerrey	Rockefeller
Dodd	Kerry	
Dorgan	Kohl	
Durbin	Landrieu	

Sarbanes	Specter	Wellstone
Snowe	Torricelli	Wyden

The PRESIDING OFFICER. On this vote, the ayes are 52, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

CLOTURE MOTION

Mr. DASCHLE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on S. 25, as modified, the campaign finance reform bill:

Thomas A. Daschle, Carl Levin, J. Lieberman, Wendell Ford, Byron L. Dorgan, Barbara Boxer, Jack Reed, Richard H. Bryan, Daniel K. Akaka, Christopher Dodd, Kent Conrad, Robert Torricelli, Charles Robb, Joe Biden, Dale Bumpers, Carol Moseley-Braun, John Kerry.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk, and I observe that Senator DASCHLE filed a cloture motion on the McCain-Feingold bill, S. 25. This is a cloture motion on the paycheck equity amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment No. 1258, to Calendar No. 183, S. 25, the campaign finance reform bill:

Trent Lott, D. Nickles, Jon Kyl, Slade Gorton, Mitch McConnell, Connie Mack, Larry Craig, Strom Thurmond, Gordon Smith, Jesse Helms, Kay Bailey Hutchison, Christopher S. Bond, Bill Frist, Charles Grassley, Thad Cochran, Rick Santorum.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 183, S. 25, the campaign finance reform bill:

Trent Lott, Rick Santorum, Jon Kyl, Don Nickles, Mitch McConnell, Connie Mack, Larry E. Craig, Strom Thurmond, Gordon H. Smith, Kay Bailey Hutchison, Jesse Helms, Christopher S. Bond, Thad Cochran, R. F. Bennett, Bob Smith, Ted Stevens.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on S. 25, a bill to reform the financing of Federal elections, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 53, nays 47, as follows:

[Rollcall Vote No. 267 Leg.]

YEAS—53

Akaka	Feinstein	Lieberman
Baucus	Ford	McCain
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Breaux	Hollings	Murray
Bryan	Hutchinson	Reed
Bumpers	Inouye	Reid
Byrd	Jeffords	Robb
Chafee	Johnson	Rockefeller
Cleland	Kennedy	Sarbanes
Collins	Kerrey	Snowe
Conrad	Kerry	Specter
Daschle	Kohl	Thompson
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden
Feingold	Levin	

NAYS—47

Abraham	Faircloth	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Coats	Hatch	Shelby
Cochran	Helms	Smith (NH)
Coverdell	Hutchison	Smith (OR)
Craig	Inhofe	Stevens
D'Amato	Kempthorne	Thomas
DeWine	Kyl	Thurmond
Domenici	Lott	Warner
Enzi	Lugar	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT—MOTION TO PROCEED

Mr. LOTT. Mr. President, I move to proceed to S. 1156, the D.C. appropriations bill.

Mr. DASCHLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DASCHLE. Mr. President, is this a debatable motion?

The PRESIDING OFFICER. This is a debatable motion.

Mr. DASCHLE. Mr. President, I want to be heard on the issue, if I can. In essence, what we are doing here is pulling the bill. We are now stating that, at least for the purposes of this week and perhaps this session of Congress, debate on the campaign finance bill is over.

We are not prepared to accept that. I think we ought to have a good discussion this afternoon about whether we really want to do that. Do we want to pull this bill and go to the District of Columbia appropriations bill? I would say that at least every Member on this side of the aisle, and perhaps some on that side of the aisle, are not prepared to do that. So we are not prepared to have that vote right now, and I hope we will have a good discussion about it, a good debate about whether it is in our interest to do so.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I will not object for the purposes of giving the majority leader the opportunity to respond.

Mr. LOTT. Mr. President, I thank the minority leader for doing that so that I can respond to his comments. First of all, let me tell Members where we are on this. The D.C. appropriations bill would be the pending issue. We do have a cloture motion that we filed on that. We would have a vote on that not before 4 o'clock. There is still a chance we would get an agreement between Senator MACK, Senator GRAMM, and Senator GRAHAM of Florida on the immigration issue, and then we would have one other pending amendment. I believe it is the Coats scholarship amendment for the District of Columbia.

I believe those are the only two pending issues we would still have to dispose of on the D.C. appropriations bill, and then we would be able to go to final passage. That would be the last of the 13 appropriations bills, and then we could go on to conference on that and, hopefully, get all of these conference reports done before the continuing resolution runs out on the 23d, I believe, of this month. I wanted to make sure Members understand what we are trying to do here—go back to the D.C. appropriations bill.

Now, with regard to the issue that we have been debating and the votes we just had, those two cloture votes that we just took, in my opinion, put an end to campaign finance reform at this time. They end the drive for phony reform, the kind that rigs the law in favor of one side or the other. They end

the partisan game plan that treated the Constitution and the right of free speech guarantees as technicalities to be gotten around. That was the worst aspect of this year's effort to rewrite Federal campaign law, this willingness to abridge one of the fundamental freedoms of the American people.

Earlier this year, to my amazement, 38 Senators actually voted to change the first amendment so that the Congress or a Federal agency could limit free speech. I never thought I would see that day arrive. Now, those 38 Senators have been joined by others who would not explicitly repudiate the first amendment, but they would in fact change it. I think that is a very serious challenge to the Constitution.

What we have here is an effort to change the subject, to change the laws, where the laws we have on the books have already been broken. We do not have a consensus yet on how to proceed on this issue. We will be back on this issue some day. But I want to say again that until we do something about the paycheck equity issue, allow people to have some say over how their dues are used, and make sure that all campaign contributions are voluntary, I don't see how we can ever resolve this issue. So I feel good about what we did today. I think we did the right thing for the American people, the right thing in protecting free speech. Now we can move on to other issues, and we can continue to have other debate and other votes on this on other days.

But as for now, I think we did the right thing. I am proud the Senate didn't turn its back on the Constitution. Just yesterday, the Supreme Court ruled that you cannot limit free speech, you cannot limit advocacy issues in campaigns. We may not like it, but in America you should have a right to say how your monies are used. You should have the ability to express your position on an issue or on a candidate.

So I hope that we can mend some of the problems that have developed and go on and do our work on a lot of important issues, and perhaps some day we can find a way to have an opportunity to come together on this issue.

I yield to the Senator from Oklahoma for a question, without losing my right to the floor.

Mr. NICKLES. Mr. President——

Mr. KERRY. Regular order, Mr. President.

Mr. NICKLES. The majority leader has yielded so that I may ask a question. Your request was to move to the District of Columbia appropriations bill. Correct me if I am wrong, but that is the last appropriations bill we haven't passed. We passed the other 12, and we passed a continuing resolution. The continuing resolution will expire on the 23d of this month. So it is your hope that we can dispose of the District of Columbia appropriations bill, hopefully, tonight; is that correct?

Mr. LOTT. That's correct.

Mr. NICKLES. And dispose of—I believe there is the Coats amendment pending and also a Mack proposal pending. So if we can dispose of both of those amendments, finish the District of Columbia appropriations bill, let it go to conference, and hopefully work out the differences with the House on that and several other conference reports, as many as possible this week, hopefully complete all those by the 23d, maybe we won't need a continuing resolution. It looks like there may be a couple of bills that we may not be able to finish by the 23d. It is your hope that we can finish the D.C. bill tonight?

Mr. LOTT. That's correct. I believe we can. I understand that the interested Senators, on a bipartisan basis, have come very close to an agreement. I think we may have an answer within the hour.

Mr. NICKLES. The majority leader made some comments on the campaign finance reform and paycheck protection. I know my colleague the minority leader said he wanted to have more discussion. I will tell my colleague that I would like to visit about that a little bit more as well. I think every American should be guaranteed the right to say whether or not they contribute to a campaign. I can't imagine that any employees have money taken away from them on a monthly basis without their consent. I think that is un-American.

I personally inform the majority leader and tell my colleague from South Dakota, I think it is a very fundamental question of freedom, and I feel very strongly about it. I am happy to discuss that with our colleagues and, hopefully, figure out a way to pass it. Two or three of my colleagues say maybe it should be amended. I am happy to discuss that with them as well. I never said it was perfect. I think we should have a fundamental question of fairness. Should we not have the right or the opportunity to make sure that everybody that contributes to a political campaign does it on a voluntary basis?

So I appreciate the majority leader's responding to my question. I know he wants to set this aside as far as campaign reforms and pass the appropriations bill. I concur with that.

But just to ask the majority leader a question, does he agree with me that every American should have the right to be able to contribute to a campaign on a voluntary basis?

Mr. LOTT. It is such a fundamental, basic right, I really can't understand why there is such resistance to it in campaign finance reform. Frankly, all employees, whether they are union members or not, should have the right to say how their dues or fees are used, and it should not be done without their permission.

Mr. McCONNELL. Will the majority leader yield for a question?

Mr. LOTT. I yield to the Senator from Kentucky for the purpose of a question, without losing my right to the floor.

Mr. McCONNELL. Well, Leader, let me just ask if you are familiar with the cloture vote we had on this issue last year. I was asking the leader, since I am compelled to ask a question, if he is familiar with the cloture vote we had last year.

Mr. LOTT. I believe I am familiar with it, and I believe that the vote we just had, as a matter of fact, was a better vote in defense of free speech than we had just a year ago. After all the pressures and all of the media hype on this issue, as a matter of fact, the Senate voted by a stronger margin for free speech and for union members being able to have a say on where their dues would go.

Mr. McCONNELL. I say the majority leader's memory is excellent. In fact, the vote against cloture and the vote to defend the first amendment was better this year than it was last year, in spite of all of the effort that has been made to undermine fundamental free speech in this country. So I commend the majority leader for his leadership, and we look forward to defeating this measure at any time it may be offered to the Senate.

Mr. KERRY. Will the majority leader yield for a question?

Mr. LOTT. I yield to the Senator from Massachusetts for the purpose of a question, without losing my right to the floor.

Mr. KERRY. I ask the majority leader if it is a fact that, under the procedures of the Senate, this bill, the D.C. appropriations bill, would have been the regular order of the Senate, so it was unnecessary to move to proceed to the D.C. appropriations as the regular order, except that by moving, as the majority leader has, he has in effect taken the campaign finance reform bill and put it back on the calendar, which essentially removes it from the capacity of automatically coming up again before the Senate; is that an accurate description of what has happened parliamentarily?

Mr. LOTT. I think that is an accurate description of what is happening parliamentarily. We have had parts of 7 days of debate. We have had two votes on this issue. As I said, it is obvious that a consensus has not been reached. We have other important issues that Members want to come up and debate. I accommodated advocates of the campaign reform bill, and we have had the debate they wanted. It came up early, not later.

Now we have other issues we need to deal with. We need to deal with the District of Columbia appropriations bill, so that it can go to conference and hopefully go down to the President. A

lot of work has gone into that bill this year to try to help the people in the District of Columbia. Do we want the District of Columbia appropriations bill to die here and be folded in some form or another in some CR at some point?

I know the Senator from Massachusetts would like to see us do Amtrak reform so that, as a matter of fact, the funds we have identified, a flow of funds for Amtrak, can go forward. If we don't get the reform authorization language, the money will not be released. That is going to get to be a serious problem. We see the possibility, or even the probability, of a strike facing Amtrak later on this very month. It seems to me that we need to address some of those issues so that we can have adequate funding for Amtrak. I know the Senator from Massachusetts wants that.

The President of the United States indicated to me through top staff officials on Monday morning that they hope we will vote on this issue and then move on to other issues, including the fast-track trade agreement. We have a lot of important work to do. I just said a moment ago that I don't think this is the last time we are going to talk about campaign finance reform. Maybe some day we can sit down and see what we might agree on. We are certainly not going to agree to a situation that gives up any American's right to free speech and that forces other citizens to pay, against their wishes, for campaigns they don't support.

So you are right that our purpose here is to get off of campaign finance reform for now and go to the District of Columbia appropriations bill. I believe if we can do that, we could probably finish today. The next order of business I would like to try to go to is the ISTEA transportation infrastructure bill. That, too, is a bipartisan issue that Senator DASCHLE and I have talked about. Senator MAX BAUCUS is working on it, along with Senator CHAFEE. There is a bipartisan group, and they are ready to go. In that case, the Senate needs to provide a little leadership because the House hasn't been able to pass a bill. They passed just an extension. We can pass a 6-year bill with a formula that would be fairer overall. There will be some disagreements on that. Until we get started, we are never going to resolve them.

Mr. KERRY. Mr. President, if I can continue, let me say to the majority leader, I think all of us have been sensitive to the needs of the Senate to do the business of the Senate. We have set aside the campaign finance reform in order to do that at any time that it was important. But there is a very big distinction between taking this off the calendar in a way that prohibits us, if we were to reach agreement, from returning to it immediately or from really deliberating on it.

I ask the majority leader, would he be prepared, if Members on both sides were to discuss in the next hours some kind of approach that we weren't permitted to vote on, we weren't permitted to actually legislate on, but which might resolve this question of how you provide people the free choice with respect to their dues or otherwise, in a fair-minded way? Would the majority leader be prepared, if Members on both sides believe there is a solution, to bring this back for a vote in order to deal with that?

Mr. LOTT. Well, when we have a solution even in distant sight that would be fair and would not restrict Americans' ability to participate in the election process, a system that is a fair one, then certainly I am always amenable to talking further. My record is replete with examples where I said, I think there is hope, let's work. But on this issue at this time, that hope is not there. There has been no real movement in that direction. So I don't foresee that happening.

The Senator from Massachusetts was one of the ones who said, "Are you going to bring this up early, or are you going to wait until the last day of the last week of this session?" I said, no, I didn't want to do that because I didn't want us to end up on this issue without having the time to talk about it. I thought about it and I said, as a matter of fact, let's go ahead and get started because I thought there was a window of opportunity in here to have the debate, which we did for some 23 or 24 hours, on campaign finance reform. So I said, let's do it now. But I think it would not be good faith, after all that, to want to do it again next week, and every day we are in session, and the last day we are in session. I don't think that is in good faith either. That will wind up affecting everything else we need to do.

We have had a good debate. We know that right now there is not a consensus. But if we begin to move toward one that is not partisan, that is fair and does not limit free speech, I am always willing to see what we can agree to.

Mr. KERRY. One last question with a very quick response. The Senator from Massachusetts contemplated the Senate doing what the Senate is supposed to do, which is legislating, voting. We have not voted on one amendment. We have not permitted one issue to come to the real deliberative efforts of the Senate, which is through a vote. I think the Senator knows that.

So my question would be, if there is this kind of solution, will the Senator permit it to come to a vote—if it were a majority of the Senate that had come to that conclusion, a majority of the Senate?

Mr. LOTT. I cannot help but be reminded of some of the speeches I heard the former majority leader from Maine, Senator Mitchell, make on this floor. When a Senator would object to his procedures, he would reply that the Senator understands how the Senate operates; the Senator understands that in the Senate it quite often requires 60 votes, not 50 or 51 votes, to take action; the Senator understands that being deliberative doesn't mean having multiple votes.

We could have had amendment after amendment after amendment and be on this subject for the rest of this month. But there was no consensus. There is no consensus. The truth of the matter is that the other side feels that, if they do not limit free speech, the bill is not worth having. We, on the contrary, feel that if people can't have control over how their contributions are used or their dues are used, the bill would not be fair.

But, as I have said before, we will keep working on this. And I am always amenable to suggestions. I have been talking to Senators this very morning about that.

I yield to the Senator, if I can. Let me yield to the Senator from Pennsylvania, then I will come back to this side, for a question.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The Senator from Pennsylvania.

Mr. SANTORUM. Thank you. I thank the leader.

I just wanted to ask a question. The Senator from Massachusetts talked about the job of the Senate as it moves forward on legislation. I just wanted to harken back to his statement about FDA reform, and what has been done by some people trying to block consideration of FDA reform and comptime-flextime. If you will correct me, I believe it is still on the calendar at this point because we do not have 60 votes to move forward with the comptime.

Mr. LOTT. As a matter of fact, on flextime, that is the pending business. And, under certain circumstances this week, we could end up back on that bill, which will suit me fine.

Mr. SANTORUM. Is it not the fact that we will not be able to get 60 votes on comptime-flextime, and as a result we have not been able to move forward with that piece of legislation, which, as we have just been told by the Senator from Massachusetts, is the business of the Senate? We have not had that debate yet.

Mr. LOTT. I believe, in answer to the Senator's question, that the majority of the Senate thinks there should be an opportunity for workers to be able to take time to be with their children, or to do whatever they might need to do—for the PTA or for their own health reasons. The U.S. Senate could, by a majority vote, allow that to happen, but instead the bill has been filibustered. Since we have not been able to round up 60 votes, it still is pending on the calendar.

Mr. SANTORUM. My understanding is that the major opposition to the comptime-flextime—you can tell me—the major opposition that is moving is on the other side of the aisle, and talking to those Members to block the comptime-flextime bill from coming up for consideration.

Mr. LOTT. I know there has been a lot of interest by the Senator from Massachusetts, Senator KENNEDY, about that. And I know he had problems with the Food and Drug Administration reform package, which, by the way, passed with a bipartisan vote, overwhelmingly, to cut off his filibuster. We voted, I think, twice to cut off the filibuster, and I understand it passed 98 to 2. It took us a month to get it done.

Mr. SANTORUM. Can the Senator say what outside organizations are principally opposed to the comptime-flextime bills being considered here?

Mr. LOTT. I believe the AFL-CIO. I think it would be helpful if we could check with their members because I think the members would like to have a say about the denial of their comptime-flextime.

Mr. SANTORUM. With respect to the Lott amendment on paycheck equity, what outside organization is blocking the consideration of that? In fact, what outside organization is a major opponent?

Mr. LOTT. That legislation to allow for voluntary contributions to campaigns so that workers are not required to pay dues as a condition of employment and then have those dues used for political candidates. Our amendment to fix that problem has been opposed by the union bosses. But yet the union members in the country, when they find out that their dues are being used for political purposes without their permission and without their knowledge—the ones I talk to—are irate. They say, "I want the opportunity to decide. I may want to give permission. I might want to check it off and say this is fine."

But in America shouldn't you have the ability to say that? Shouldn't you have the choice about how your own moneys are used as a condition of employment?

Mr. SANTORUM. I would also ask the question maybe in a little different light.

Let me ask this question. My question is, can you come up with a reason why someone would want to be debating the changing of the underlying law with respect to campaign finance at a time when there is another debate going on out here about violations of current existing law? Can you possibly postulate for me what you think the motivation of some might be to question the underlying existing law of campaign finance in the face of overwhelming evidence and even new evidence that has come out, as recently as other day, that there are existing violations of campaign finance law? Could you answer for me or postulate for me what the reasons are that someone may want to divert attention away from a debate and examination of the breaking of existing campaign laws to talk about something completely unrelated, which is changing the existing law?

Mr. LOTT. I said in my speech a week or so ago that what really bothers me here is people saying, "My goodness, the laws which we wrote have been broken and, therefore, we should change them." And what new laws do they propose? Laws that restrict free speech, in the McCain-Feingold proposal as it now stands. There are provisions in that with regard to advocacy, or advocating an issue, or advocating even a candidate. The Supreme Court just yesterday refused to review the lower court which said you can't limit that.

Our paycheck protection amendment has been called a "poison pill." Since when is it a "poison pill" when you have an amendment that says the American people should have a say about how their money is used?

I think that is a very strange description of a very fundamental freedom and right I thought we still had in America.

Mr. SANTORUM. If I could ask one additional question, do you find it ironic that on the day in which we have campaign finance hearings in the Governmental Affairs Committee, talking about the legal activities at the White House with the Democratic National Committee, that Members of the Senate here on the other side of the aisle want to focus on a completely different issue which has to do with changing the existing campaign? Do you think there is some sort of strategy involved here? I am just curious as someone sort of on the outside.

Mr. LOTT. It appears to me there might be some thinking along those lines. But, you know, I, at this point, don't want to question the motives of others.

I appreciate the questions that have been asked, and I would ask consent that after the Senator from South Dakota speaks, that I be able to regain the floor to continue this discussion.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Democratic leader.

Mr. DASCHLE. Mr. President, I thank the Presiding Officer.

Mr. President, let me respond to a couple of the matters raised by my distinguished majority leader.

First of all, with regard to the District of Columbia appropriations bill, there is no reason why the majority leader could not have simply called for regular order. By calling for regular order, the D.C. appropriations bill would have been on the floor. We would not have had to put the campaign finance reform bill back on the calendar.

So no one should be misled by that sleight-of-hand. It is very important that everyone realize what happened. The majority leader pulled the bill, put it back on the calendar, ostensibly so we could come back to the District of Columbia appropriations bill. But that wasn't necessary because the regular order is the District of Columbia appropriations bill. So we could have achieved what the majority leader said he wanted to achieve simply by going back to the regular order.

Mr. President, I hope everybody realizes that is the reason Democrats have found the decision of the majority leader questionable today. Why would we do that if, indeed, we are going to be going back to cloture votes tomorrow and to cloture votes again on Thursday?

I have heard several of my colleagues say that it is the American way to ensure that every single person voluntarily participate in the political process, and, in so protecting the voluntary nature of that participation, it is critical that unions provide for some mechanisms to refund that portion of the payment dedicated to political activity within each union. That is the American way to have that opportunity.

I do not want to debate the so-called Lott amendment at length. But I certainly expect that they would then support that same freedom—that same voluntary spirit—when it comes to the mandatory collection of political resources from corporations, from organizations, and from all other entities involved in the political process. If it is good for one, it has to be good for the other.

With regard to having a full and fair debate about that, I don't know what could be more full or more fair than to bring up the bill separately and have a good debate—an all-out debate about it.

Let's have a debate with amendments on whether or not we want to expand it, whether, indeed, it is a good idea.

But I get back to why this is going on. This is going on not because people are concerned about freedom, about free speech. This is going on because it is a poison pill, because we know as long as we are in this situation we are never going to get to campaign finance reform.

So I hope everyone understands what this is all about. The majority leader says there isn't a consensus. I will agree today there are not 60 votes on the bill, but we are getting closer to a consensus on a lot of these other issues.

Mr. President, let me just say, given this poison pill, campaign finance reform probably choked a little bit today, but it did not die. It is alive. It

is well. And it may choke a little bit more as they try to shove it down the throat of the whole campaign finance reform concept, but I will tell you this. Campaign finance reform will not die until it is passed. It will pass. I do not want to be in a situation to amend other bills, but that is exactly what we will be forced to do if we are not able to deal with this in a constructive way.

So I just hope that Republicans and Democrats can work through these obstacles, that we can rid ourselves of the poison pill and debate it as an issue as we should but then allow the Senate to work its will on campaign finance reform in a meaningful way. I hope we can do that.

Mr. DORGAN. Will the Senator yield?

Mr. DASCHLE. I yield to the Senator from North Dakota.

Mr. DORGAN. I appreciate the Senator from South Dakota yielding. I would like to ask just a couple brief questions.

The majority leader has consistently this afternoon indicated there has been a rather full and extensive debate on campaign finance reform. Isn't it the case that exactly the opposite is true? The master illusionists in America are those who are able to convince people that they have seen things that do not exist.

Isn't that what we have here? We have had a debate on campaign finance reform, we are told. Isn't it the case, I ask the Senator from South Dakota, that the campaign finance reform bill was brought to the Senate in a very complicated set of almost Byzantine procedures that are called filling the tree so that no one else had an opportunity to do anything to amend this bill, and that under the procedure that existed the bill was debated, but no one, save the majority leader, was able to offer one single amendment?

Isn't it the case that we had what is called an illusion? I think this is an illusion to convince people to see things that do not exist.

I think people will see what happened here, a procedure that ties up the Senate, allows no one to offer any amendments, and then a claim, trying to pull the bill from the floor, that we have had a debate on campaign finance reform. Is that an accurate description of what has happened in recent days?

Mr. DASCHLE. The Senator from North Dakota is exactly right. That is the description. We have spent a lot of time on it. But ask any Senator in this Chamber whether they have had an opportunity to offer an amendment, to talk about differences that we might have with the McCain-Feingold bill per se. We have all indicated that we are willing to support it, but there have also been a lot of indications on the part of many Senators that they would like to improve upon it, they would like to change this or that. It is the nature of this body to have a good debate about what is the most appropriate language, what is the most appropriate provision with regard to these questions. We have been denied that.

So while we have had good speeches—I have heard some great speeches, even some exchange—we have not had a debate, not a debate in the true sense of the word where Democrats and Republicans can walk down to the floor, offer an amendment, have a good vote, go on to the next amendment, have an exchange. That has not occurred.

Mr. DORGAN. If I might just ask two brief additional questions.

Isn't it the case that on the cloture vote on the underlying bill, the McCain-Feingold bill, 53 Members of the Senate voted for cloture, which suggests that 53 Members of the Senate support this bill? So we have a campaign finance reform bill that has the support of the majority of the Senate and a procedure designed to prevent the Senate from having a vote on it. Is that not the case that we now face?

Mr. DASCHLE. The Senator is absolutely correct. The majority of the Senate has now gone on record in support of the bill as it is pending before the body, and we have been precluded the opportunity to vote up or down on that bill.

Mr. DORGAN. I know the Senator has another engagement, but let me ask one final question. Isn't it the case now that the pending business in this Chamber was campaign finance reform and the majority leader is asking by motion to go to D.C. appropriations and that those who decide to vote to do that are voting to pull campaign finance reform? If that is the case—and I guess it is procedurally—I think we ought to have a debate about that. I think we ought to have a vote on it, we ought to find out who in the Senate decides to vote to pull campaign finance reform from the floor of the Senate before we have had the first amendment offered to that bill.

Why haven't we had an amendment offered? Because this bill was tied up tight, brought to the floor with the design and a boast by some that they are going to kill it and be proud they killed it, and they are going to put this in a position where someone else filibusters and gets the blame for killing it.

This is clearly an illusion. And isn't it the case that the vote we are going to be asked to take—and I hope it is a record vote; you have already asked for the yeas and nays—will be a vote on whether we believe we should pull campaign finance reform from the floor of the Senate? I am going to vote no, but isn't that in fact the vote we are going to have?

Mr. DASCHLE. I think the Senator from North Dakota describes it accurately. We don't think——

Mr. LOTT. Mr. President, will the Senator yield for a question to the Senator from North Dakota?

Mr. FORD. Let him answer his question.

Mr. LOTT. I will be glad to wait.

Mr. DASCHLE. I will be glad to complete my answer and yield to the majority leader.

The answer is clearly yes. We don't believe that this is time for business as usual here, that we simply pull the bill after we debated it, as we have now for some 23 hours, if you can call this a debate. Simply to pull the bill without any resolution on the issues is a very difficult thing for many of us to accept. So the Senator is absolutely right. Our preference would be to stay on this bill. Let's see if we can finish it. We hope we can finish the D.C. appropriations bill, too. We have attempted to do that, but clearly we have to move on with subsequent votes on campaign finance reform.

I would be happy to yield to the majority leader.

Mr. LOTT. I will just wait, if the Senator is about through with his comments. I will just go ahead and respond.

Mr. DASCHLE. Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I thank the Senator from South Dakota for allowing us to have this discussion to go back and forth, but I want to point out to the Senator from North Dakota that the same rationale that he used also applies to the amendment that I had offered, the paycheck equity amendment; 52 Senators voted to invoke cloture so that we could go ahead and get a vote on that issue, as a matter of fact. So a majority of the Senate feels very strongly about that.

Mr. DORGAN. Will the Senator yield on that point?

Mr. LOTT. It seems to me that sometimes maybe even the White House knows more about the rules of the Senate than some of us around here.

As a matter of fact, when the White House spokesman, Mr. McCurry, was asked about how the vote would come in the Senate, he was asked, "Well, what if there is a filibuster?"

Mr. McCurry said, "Well, then there would be a filibuster and there would be a cloture vote and then they would move on."

"But if they don't get 60 votes, that wouldn't be a vote."

"It would be a vote. That's the way the Senate rules work. What else?"

"Does the vote of 60, is that considered a vote?"

"Mr. McCurry. A vote to limit debate by invoking cloture is considered a vote under Senate rules, yes, the last time I checked."

Mr. DORGAN. Will the Senator yield?

Mr. LOTT. Mr. McCurry seems to know more about the rules than some of us around here.

Mr. DORGAN. Will the Senator yield?

Mr. LOTT. But the argument again that 53 Senators voted for cloture on the underlying bill applies the other way, too; 52 Senators voted for cloture on the amendment that was pending.

Mr. DORGAN. Will the Senator yield for a question?

Mr. LOTT. I will be glad to yield.

Mr. DORGAN. No one is suggesting, certainly not me, that the Senator has not followed the rules. The Senator has used the rules exactly as he desired to use the rules to bring this bill up, fill the tree, prevent it from having amendments, have a cloture vote, and kill the bill. This Senator understands that. I have been curious about why the majority leader would not allow a motion to table. We understand that there was not an interest in allowing a motion to table the Lott amendment to be offered this morning.

In fact, the Senator in a rather unusual move last evening put us in morning business all morning. Our expectation was we would be able to have a motion to table. I wonder if the Senator would tell us why that was inappropriate or whether he would allow us the opportunity to offer a motion to table the Lott amendment at some point.

Mr. LOTT. In response to the Senator's question, as a matter of fact, I had been indicating all along that we would have full debate on this, we would have cloture votes. If cloture was achieved, then we would move on from there. If it was not, then we would go to other legislative business.

As a matter of fact, I had to file the cloture motion last week, I guess it was last Friday, so we could have these cloture votes. As a matter of fact, as to morning business, I have lots of Senators who come in and say: We have very important issues we want to talk about. Can you set aside an hour or some time, even 2 hours, for morning business?

Yesterday afternoon I came down to the floor. No Senators were waiting to speak on campaign finance reform. One Senator was waiting to speak on another issue, and so we went into morning business where Senators could speak up to 5 minutes on any other subject they wanted.

So if I could go on at this point, does the Senator from Utah have a question he would like to ask?

I yield for a question.

Mr. BENNETT. I would like to ask the majority leader a question regarding the Lott amendment about which we have heard some ex post facto debate here. Is it not true that under the Lott amendment corporate employees who are not members of the union also would be required to give their permission before their money could be used?

Mr. LOTT. That is absolutely true, a little point that seems to be ignored in many circles around here. As a matter of fact, I don't think any worker, whether he or she is a union member or nonunion member, should be compelled to have their dues or fees or assessments or in any way have to pay without their permission for politics or for a political candidate. I think it should be applicable to workers at all levels. And so I purposely included that.

Some people say, "Well, you went beyond the Beck decision of the Supreme Court." Yes, that is one of the key places where I did go beyond the Beck decision. I said this voluntarism should be applicable to all employees, all workers. So clearly that is a part of the amendment as it now stands.

Mr. BENNETT. Now, if I could further query the majority leader, on this issue of equality between workers and shareholders and the suggestion that corporations that are involved in giving soft money are taking money involuntarily from the shareholders, is the majority leader familiar with the shareholder boycott movements that occurred, oh, some decade or so ago, people who would sell their shares of stock in companies that did business in South Africa, for example?

Mr. LOTT. I am familiar with that, and I know of the Senator's background in business as a corporate executive, and he knows all too well that stockholders, shareholders, have a very strong voice in what happens, and that voice is by buying or not buying more stock or by selling what they have and putting it somewhere else. They can choose where they put their money. What a wonderful American procedure that is. But it is one that we value very much.

Mr. BENNETT. I would say to the majority leader before my next question, I have been called by brokers who have told me what a marvelous investment a particular company is. And I said, "But they sell cigarettes, and I don't want to put my money in a company that sells cigarettes." And I was told, "Yes, but they're mainly in cookies and biscuits and other kinds of food." And I said, "No, I am making a decision as to whom I will support with my investment dollars, and the company that's in the tobacco business is not one I want to support with my money." I don't attack people who support it with their own money, but I make my own investment decisions. I have heard people say the same thing about entertainment companies, saying they don't want their money in the entertainment company that produces a particular movie, and whatever.

But this is the next question I would like to address to the majority leader. The distinguished minority leader talked about campaign finance hitting a bump in the road today but saying it was not dead, that the Senate had hit it but not killed it.

Is it not the opinion of the majority leader that the biggest bump that McCain-Feingold has hit is not the vote in the Senate but the vote in the Supreme Court? When the Supreme Court took action with respect to denying cert to a lower court ruling, did the Supreme Court not in fact inflict a much bigger blow on McCain-Feingold than the vote we took today? And if, indeed, we had passed it today, is it not now clear the Supreme Court itself would gut the bill?

Mr. LOTT. I think it is obvious that that would be the result. Now, there are those who have been saying, well, you never know how the courts are going to rule until they look at the specific language or until they have in fact ruled. Right in the middle of the debate on McCain-Feingold, the Supreme Court spoke clearly, once again, and said you cannot limit people's speech. You cannot limit advocacy. You cannot limit groups that want to take a position on an issue. It was really interesting that ruling did come just yesterday of this week.

Mr. BENNETT. Would the majority leader not concur, then, that it is a better use of the Senate's time to be debating appropriations bills at this point in the fiscal year than worrying about legislation that is clearly unconstitutional? Don't we have a responsibility, when something is clearly unconstitutional, to get off of it and move onto something more productive?

Mr. LOTT. It would appear to me to be the case. If the Senator will allow me, I would like to ask that the cloture vote scheduled for today now occur at 4 p.m. I would say to the Senate that I have just notified the minority leader of this request, therefore the next vote will be 4 p.m. today on the motion to invoke cloture with respect to the Mack-Gramm immigration amendment to the D.C. appropriations bill.

The PRESIDING OFFICER. The leader has that right.

Mr. LOTT. Does the Senator wish me to yield further?

Mr. BENNETT. I thank the majority leader for his courtesy. I have no further questions.

Mr. LOTT. As I said here last week, I think protecting citizens against forced political contributions should be the litmus test for the sincerity of this debate. Anyone unwilling to do that cannot be taken seriously as an advocate for reform. The fact is that the advocates of McCain-Feingold decided that legislating about campaign finance reform was less important than maintaining the system of compulsory campaign contributions by employees. And, so, rather than allow their own legislation, the present form of McCain-Feingold, to go forward, they brought down the roof of the whole temple on their own bill. At least Samson had reason to wreck the place. But I don't think that should be the case

here. They are so determined to limit workers' ability to say where their dues or their fees are going to be used, and how, that they are willing to have the whole issue set aside.

So we stand here, now, in the midst of this scuffle, but maybe the things we are finding out this very day about what happened in the 1996 campaign will have some future effect on what we decide to do. Belatedly, now, we see these videotapes brought forward, showing White House coffees. Even more belatedly, we understand, now, that there is an audio track of the President's meeting with John Huang on June 18, 1996. Where have these tapes been? Why haven't we known about this before?

When it comes to campaign finance, the administration gives a whole new meaning to the term "technical problems." Only a few days ago, while those White House videos were not available—or maybe people weren't aware of them—the Attorney General had been moving away from an independent counsel, not toward it.

So, I once again have serious problems with trying to detect who is serious about legitimate campaign reform. What we have here is not a lack of restrictive campaign laws. In fact, I think that is a big part of the problem. We already have more laws, more restrictions, more regulations than the mind can contend with. I think we have been making mistakes over a period of years in the writing of campaign laws, where now it takes lawyers and CPA's and FEC experts to try to make sure that a candidate for office, of either party, is complying with the law. What we have is a lack of enforcement of the existing laws. So, the push has been to say, well, there may have been some problems, maybe some laws were broken, so what we need is new laws. I respectfully disagree with that.

We are not going to go forward in a way that is unconstitutional. We are not going to go forward in a way that does not deal with this problem of the taking of dues from workers and using them for political purposes.

I just came across an interesting quote attributed to former White House Deputy Chief of Staff, Harold Ickes. This is actually a quote from Michael Louis, in the New York Times magazine. He says that the Deputy Chief of Staff will tell you, point blank, that President Clinton does not care about campaign finance reform, that he is using the issue for his own purposes, none of them altruistic. I think that sums up what is going on here and I think the American people should not allow themselves to be fooled by the debate that we have been hearing over the last week.

I yield further to the Senator from Kentucky for a question.

Mr. McCONNELL. Yes, I wanted to ask the distinguished majority leader if he was aware that there had been some survey data actually taken of employees, union employees, assessing their attitude about their dues being taken, in effect, and spent on causes with which they disagree?

Mr. LOTT. I am aware that there have been some survey data. I am trying to remember what the numbers were. I believe—perhaps you will have them—in one instance it was 62 percent; in another it was 78 percent.

Mr. McCONNELL. I think the 78 percent figure the majority leader refers to is the one that I saw; 78 percent of workers would like to have an opportunity, up front in advance, to make the decision on whether or not they contribute, in effect, to a political cause; fundamental American right. That is what the leader's amendment would have provided, not just for union members but employees of corporations who are not union members, and of course any shareholders who are aggrieved have the option to sell the shares, if they object to any political donation of a corporation. So I commend the majority leader.

Mr. LOTT. I would like to make another point. Perhaps the Senator might want to respond with a question on that, or comment.

I didn't just dismiss the McCain-Feingold bill out of hand. I sat down with the Senator from Arizona and we went over what was in his bill. One of the problems with it is how he deals with this paycheck equity issue. His bill, as I understand it—maybe you can correct me—says, in effect, that after an election is over, if a member decides that he or she would like to get their dues back because the money was used in some way he or she didn't agree with, then they could get it back.

Great. You have already had an election. Somebody has already been bombed with millions of dollars of money that is used against union members' permission, and then they can say, after the fact: If you are mad, you can get your money back. I don't understand the rationale for that thinking.

Mr. McCONNELL. The majority leader is absolutely correct. That provision would have only given an employee who decided he didn't like it an opportunity to write in and get his money back after it was over—wholly inadequate, I would say to the leader, wholly inadequate.

Mr. FORD addressed the Chair.

Mr. McCONNELL. The real decision is, do you—are you asked in advance whether or not you want to contribute your hard-earned money to a group that may go out and spend it on causes with which you disagree?

Mr. FORD. Mr. President, I don't mind listening to this debate but the floor is in the possession of the majority leader and he yielded for a question, not a statement.

Mr. LOTT. Mr. President, in case the Senator from Kentucky or the other Senator from Kentucky or any other Senator would like to speak—we will have a vote at 4 o'clock, but in order for them to make some comments if they would like, I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I just want to thank the distinguished majority leader for his leadership on this very important issue. In the judgment of this Senator, there is nothing more important than protecting the first amendment and giving American citizens an opportunity to participate in the political process.

I would say that is not just my view. That is the view of the United States Supreme Court. It is the view of the American Civil Liberties Union. The Court has said you have a constitutional right to support, to contribute to the candidate of your choice. So we are talking about fundamental first amendment rights in this debate.

I also want to take this opportunity to thank my colleagues who have spoken during the course of this debate. The number of speakers has been roughly equal on both sides. Every one of the Senators who spoke on my side of this issue spoke in defense of the first amendment.

I also extend my gratitude and my appreciation to Tamara Somerville, my long-time assistant in this struggle to protect the first amendment. Nobody has ever worked harder, produced more brilliant subject matter, and done it with greater humor than she. So, my thanks to Tam, not only for her good work for me but also on behalf of the country, in defense of the first amendment.

I also want to thank her assistant, Lani Gerst, who did a remarkable job as well, for all of her help.

Mr. President, it has indeed been a wonderful debate. We will in all likelihood have it off and on again. It seems that is the history of this issue. It has been around a few times over the last 10 years, but I think the opposition to ruining the first amendment continues to grow. Today's cloture vote against cloture was the highest in 10 years.

So, I end today on an optimistic note, that the first amendment will, indeed, survive for another year.

I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, I hear a lot of interesting talk. It amuses me some but it also bothers me. In the hearing in the Governmental Affairs Committee today—we heard the majority leader talking about tapes. They don't want to impugn the integrity of the President, but they kind of scorn the tapes suddenly showing up. After everyone made a statement all morning

—never got to witness, talked about tapes all morning—they tried to get to Mr. Ruff, I believe his name is, who is the counsel for the White House, who came down to the meeting, came in the audience, and the ranking member tried to get him before the committee to answer their questions. And he was gaveled down and the committee recessed.

Something about this does not ring true. If you can come out here and just bash somebody and bash them, and they have no opportunity to defend themselves, and then you recess the meeting—something like that is what is happening here on the Senate floor. We see a campaign finance reform bill that comes up and we do what we refer to as filling the tree, and that means no one else can put up an amendment, and they say we have an opportunity to debate the bill? That is like the man trying to answer in the Governmental Affairs Committee about the tapes that were released, and they wouldn't let him talk.

So, we are trying to get to a campaign finance bill here today and you can't talk. Oh, you can talk, but you can't vote. And they talk about this amendment of the majority leader's, that is so great—why is it that they will not accept a more comprehensive bill in the same light that covers everybody? No, they want their own bill, because it is harder on labor than it is on business. It is harder on labor than it is on associations. So, that is the reason that amendment has been cloistered and we cannot get to it.

I understand we have a couple of more minutes. This is a little bit like they talk about the laws, that everything is fine. It is like being opposed to the IRS. Oh, we have had all these hearings about IRS, we are going to get rid of IRS, we are going to do all that—but the Republicans are in the majority. They are the ones who are bashing IRS. But they passed a bill, a tax bill, of almost 900 pages—900 pages, and they are trying to say we want to get rid of the IRS. Sure they are going to get rid of the IRS. They are going to overload them. When IRS is overloaded the constituents are overloaded.

Come on, now, give us a break. If you are against the IRS, don't pass 900 pages of new tax law. And, when a man wants to come to answer the questions that they are asking, let him talk, let him answer the questions. If you have an amendment that is comprehensive, that applies to all PAC's, all organizations, why not talk about it, why not let us vote on it? We are being gagged. We are being gagged by the majority. They don't want us to vote. They have the ability to do that. That is the rules of the Senate. I am in the minority. But we are going to protect the rights of the minority. We will protect the rights of the minority and that is the reason we are a great country, we listen to the minority's voice. We have a right and we exercise that right. We represent a State and we have that right, representing that State. We are U.S. Senators and we have that right.

So, therefore, that right is going to be exercised if I have anything to do with it and can stand on my feet.

I yield the floor at 4 o'clock.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. STEVENS). Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Mack second-degree amendment No. 1253 to Calendar No. 155, S. 1156, the District of Columbia appropriations bill:

Connie Mack, Mike DeWine, Barbara Boxer, Bob Graham, Conrad Burns, Wayne Allard, Paul Coverdell, James M. Inhofe, John H. Chafee, Richard G. Lugar, Ted Stevens, Larry E. Craig, James M. Jeffords, Gordon Smith, R.F. Bennett, D. Nickles.

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the Mack amendment No. 1253, as modified, to S. 1156, the DC appropriations bill, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 99, nays 1, as follows:

[Rollcall Vote No. 268 Leg.]

YEAS—99

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Allard	Ford	Mack
Ashcroft	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Mikulski
Biden	Graham	Moseley-Braun
Bingaman	Gramm	Moynihan
Bond	Grams	Murkowski
Boxer	Grassley	Murray
Breaux	Gregg	Nickles
Brownback	Hagel	Reed
Bryan	Harkin	Reid
Bumpers	Hatch	Robb
Burns	Helms	Roberts
Campbell	Hollings	Rockefeller
Chafee	Hutchinson	Roth
Cleland	Hutchison	Santorum
Coats	Inhofe	Sarbanes
Cochran	Inouye	Sessions
Collins	Jeffords	Shelby
Conrad	Johnson	Smith (NH)
Coverdell	Kempthorne	Smith (OR)
Craig	Kennedy	Snowe
D'Amato	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thomas
Dodd	Kyl	Thompson
Domenici	Landrieu	Thurmond
Dorgan	Lautenberg	Torricelli
Durbin	Leahy	Warner
Enzi	Levin	Wellstone
Faircloth	Lieberman	Wyden

NAYS—1

Byrd

The PRESIDING OFFICER. On this vote, the yeas are 99, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. MACK. Mr. President, I move to reconsider the vote.

The PRESIDING OFFICER. The Chair, in my capacity as a Senator from the State of Alaska, moves to lay that motion on the table.

The motion to lay on the table was agreed to.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. The motion to proceed falls, and the clerk will report the pending bill.

The assistant legislative clerk read as follows:

A bill (S. 1156) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill

Pending:

Coats modified amendment No. 1249, to provide scholarship assistance for District of Columbia elementary and secondary school students.

Graham/Mack/Kennedy amendment No. 1252, to provide relief to certain aliens who would otherwise be subject to removal from the United States.

Mack/Graham/Kennedy modified amendment No. 1253 (to amendment No. 1252), in the nature of a substitute.

MODIFIED AMENDMENT NO. 1253

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MACK. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second for the yeas and nays? There does not appear to be a sufficient second. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment No. 1253. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 269 Leg.]

YEAS—99

Abraham	Brownback	Coverdell
Akaka	Bryan	Craig
Allard	Bumpers	D'Amato
Ashcroft	Burns	Daschle
Baucus	Campbell	DeWine
Bennett	Chafee	Dodd
Biden	Cleland	Domenici
Bingaman	Coats	Dorgan
Bond	Cochran	Durbin
Boxer	Collins	Enzi
Breaux	Conrad	Faircloth

Feingold	Kempthorne	Reed
Feinstein	Kennedy	Reid
Ford	Kerrey	Robb
Frist	Kerry	Roberts
Glenn	Kohl	Rockefeller
Gorton	Kyl	Roth
Graham	Landrieu	Santorum
Gramm	Lautenberg	Sarbanes
Grams	Leahy	Sessions
Grassley	Levin	Shelby
Gregg	Lieberman	Smith (NH)
Hagel	Lott	Smith (OR)
Harkin	Lugar	Snowe
Hatch	Mack	Specter
Helms	McCain	Stevens
Hollings	McConnell	Thomas
Hutchinson	Mikulski	Thompson
Hutchison	Moseley-Braun	Thurmond
Inhofe	Moynihan	Torricelli
Inouye	Murkowski	Warner
Jeffords	Murray	Wellstone
Johnson	Nickles	Wyden

NAYS—1

Byrd

The modified amendment (No. 1253) was agreed to.

Mr. LOTT. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SANTORUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, October 6, 1997, the Federal debt stood at $5,413,432,617,300.15. (Five trillion, four hundred thirteen billion, four hundred thirty-two million, six hundred seventeen thousand, three hundred dollars and fifteen cents)

Five years ago, October 6, 1992, the Federal debt stood at $4,060,002,000,000. (Four trillion, sixty billion, million)

Ten years ago, October 6, 1987, the Federal debt stood at $2,378,537,000,000. (Two trillion, three hundred seventy-eight billion, five hundred thirty-seven million)

Fifteen years ago, October 6, 1982, the Federal debt stood at $1,128,772,000,000. (One trillion, one hundred twenty-eight billion, seven hundred seventy-two million)

Twenty-five years ago, October 6, 1972, the Federal debt stood at $435,152,000,000 (Four hundred thirty-five billion, one hundred fifty-two million) which reflects a debt increase of nearly $5 trillion—$4,978,280,617,300.15 (Four trillion, nine hundred seventy-eight billion, two hundred eighty million, six hundred seventeen thousand, three hundred dollars and fifteen cents) during the past 25 years.

MESSAGES FROM THE HOUSE

At 10:39 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House insists upon its amendment to the bill (S. 1026) to reauthorize the Export-Import Bank of the United States, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. LEACH, Mr. CASTLE, Mr. BEREUTER, Mr. LAFALCE, and Mr. FLAKE, as the managers of the conference on the part of the House.

At 2:45 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate.

H.R. 1703. An act to amend title 38, United States Code, to provide for improvements in the system of the Department of Veterans Affairs for resolution and adjudication of complaints of employment discrimination.

H.R. 2206. An act to amend title 38, United States Code, to improve programs of the Department of Veterans Affairs for homeless veterans, and for other purposes.

H.R. 2571. An act to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 1998, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 1703. An act to amend title 38, United States Code, to provide for improvements in the system of the Department of Veterans Affairs for resolution and adjudication of complaints of employment discrimination; to the Committee on Veterans' Affairs.

H.R. 2206. An act to amend title 38, United States Code, to improve programs of the Department of Veterans Affairs for homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2571. An act to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 1998, and for other purposes; to the Committee on Veterans' Affairs.

ENROLLED BILL SIGNED

The following enrolled bill, previously signed by the Speaker of the House, was signed on today, October 7, 1997, by the President pro tempore [Mr. THURMOND]:

H.R. 2378. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1159. A bill to amend the Alaska Native Claims Settlement Act, regarding the Kake Tribal Corporation public interest land exchange, and for other purposes (Rept. No. 105–100).

By Mr. HELMS, from the Committee on Foreign Relations, without amendment:

S. 1266. An original bill to interpret the term "kidnapping" in extradition treaties to which the United States is a party (Rept. No. 105–101).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAMM (for himself, Mr. DODD, Mr. DOMENICI, Mrs. BOXER, Mr. FAIRCLOTH, Mrs. FEINSTEIN, Mr. HAGEL, Mr. REID, Mr. WYDEN, Mr. ALLARD, Ms. MOSELEY-BRAUN, Mrs. MURRAY, and Mr. LIEBERMAN):

S. 1260. A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRIST:

S. 1261. A bill to establish the Education Scholars Block Grant Program; to the Committee on Labor and Human Resources.

By Mr. FAIRCLOTH:

S. 1262. A bill to authorize the conveyance of the Coast Guard Station, Ocracoke, North Carolina; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN:

S. 1263. A bill to establish requirements regarding national tests in reading and mathematics; to the Committee on Labor and Human Resources.

By Mr. HARKIN (for himself, Mr. DASCHLE, Mr. LEAHY, and Mr. JOHNSON):

S. 1264. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through enhanced enforcement; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DODD:

S. 1265. A bill to amend the Occupational Safety and Health Act of 1970 to expand the provisions to include construction safety requirements; to the Committee on Labor and Human Resources.

By Mr. HELMS:

S. 1266. An original bill to interpret the term "kidnapping" in extradition treaties to which the United States is a party; from the Committee on Foreign Relations; placed on the calendar.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMM (for himself, Mr. DODD, Mr. DOMENICI, Mrs. BOXER, Mr. FAIRCLOTH, Mrs. FEINSTEIN, Mr. HAGEL, Mr. REID, Mr. WYDEN, Mr. ALLARD, Ms. MOSELEY-BRAUN, Mrs. MURRAY, and Mr. LIEBERMAN):

S. 1260. A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State

law, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE SECURITIES LITIGATION UNIFORM STANDARDS ACT OF 1997

Mr. GRAMM. Mr. President, I send a bill to the desk on behalf of myself, Senator DODD, Senator DOMENICI, Senator BOXER, Senator FAIRCLOTH, Senator FEINSTEIN, Senator HAGEL, Senator REID, Senator WYDEN, Senator ALLARD, Senator MOSELEY-BRAUN, Senator MURRAY, and Senator LIEBERMAN.

Mr. President, on December 22, 1995, the Senate took an extraordinary action in overriding President Clinton's veto of the Private Security Litigation Reform Act, Public Law 104-67. This major reform legislation was an effort to try to do something about frivolous lawsuits that were filed on a class-action basis against basically new, innovative companies.

These abusive lawsuits were literally a multibillion dollar tax imposed on new and innovative companies. They were invariably filed on a class-action basis, where there was no real client. The cost of defense against such litigation was so high that normally the cases ended in large settlements out of court.

We passed a comprehensive bill to try to deal with that problem in Federal court. That bill made a combination of five major changes in the law. It said, first, that there had to be real clients; that if a lawyer was going to file a class-action suit, he had to be filing it on behalf of real shareholders, encouraged by a set of procedures where the largest shareholder in the class-action suit was in fact in charge of that suit.

Second, the legislation required that there be specificity with regard to what the company was alleged to have done wrong.

Third, it required a discovery process designed to get the facts out on the table, rather than a discovery process that was a tool for harassing defendants into settling the case.

Fourth, the legislation set up a system of proportional liability so that you could not simply sue in order to reach where the deep pockets were; you had to go after the real perpetrators of fraud.

Finally, it contained an attorney misconduct provision, which said that if the judge made a judgment—we require an initial judgment by law—that this was an abusive lawsuit, then the parties who had engaged in this abusive conduct would be forced to pay for the legal expenses of the company that was defending itself.

So strong was the support for this bill that we were able not only to pass it on a bipartisan basis, but we overrode the President's veto of the bill.

We held a hearing on July 24 of this year in the Securities Subcommittee, which I chair, to gauge whether or not the law was achieving its purposes. What we discovered from the nine witnesses, a broad cross-section of people—State regulators, companies that were subject to these suits, a former SEC Commissioner—was that while we had dealt with the problem in Federal court, we now were seeing a migration of these lawsuits to State courts with a real effort and apparently a successful effort to circumvent what we had done.

So, Mr. President, I have introduced this bill, with Senator DODD as my principal cosponsor—he is the ranking Democrat on the subcommittee—and with a broad cross-section of Republicans and Democrats to try to correct this problem. What our bill does is very simply this. It sets national standards for stocks that are traded on the national markets. What it says is that in the case of class-action suits, and class-action suits only, if a stock is traded on the national market, if it is a national stock, then the class-action suit has to be filed in Federal court. This does not apply to individual lawsuits. It applies only to class-action lawsuits, and it applies only to stocks that are traded nationally.

Legislatively, we have been moving toward national standards for national securities. The National Securities Markets Improvement Act, enacted overwhelmingly last year, created national rules for many aspects of our national securities markets. This is an important step continuing in that direction, a step in line with the principles lying behind the commerce clause of the Constitution.

Mr. President, I would also like to take this opportunity to notify my colleagues that, even though we have a relatively short amount of time left in this session of Congress, the Securities Subcommittee will move quickly on this legislation, beginning with legislative hearings before we adjourn for the year.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1260

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Securities Litigation Uniform Standards Act of 1997".

SEC. 2. LIMITATION ON REMEDIES.

(a) AMENDMENTS TO THE SECURITIES ACT OF 1993.—

(1) AMENDMENT.—Section 16 of the Securities Act of 1933 (15 U.S.C. 77p) is amended to read as follows:

"SEC. 16. ADDITIONAL REMEDIES; LIMITATION ON REMEDIES.

"(a) REMEDIES ADDITIONAL.—Except as provided in subsection (b), the rights and remedies provided by this title shall be in addition to any and all other rights and remedies that may exist at law or in equity.

"(b) CLASS ACTION LIMITATIONS.—No class action based upon the statutory or common law of any State or subdivision thereof may be maintained in any State or Federal court by any private party alleging—

"(1) an untrue statement or omission of a material fact in connection with the purchase or sale of a covered security; or

"(2) that the defendant used or employed any manipulative or deceptive device or contrivance in connection with the purchase or sale of a covered security.

"(c) REMOVAL OF CLASS ACTIONS.—Any class action brought in any State court involving a covered security, as set forth in subsection (b), shall be removable to the Federal district court for the district in which the action is pending, and shall be subject to subsection (b).

"(d) DEFINITIONS.—For purposes of this section the following definitions shall apply:

"(1) CLASS ACTION.—The term 'class action' means any single lawsuit, or any group of lawsuits filed in or pending in the same court involving common questions of law or fact, in which—

"(A) damages are sought on behalf of more than 25 persons;

"(B) one or more named parties seek to recover damages on a representative basis on behalf of themselves and other unnamed parties similarly situated; or

"(C) one or more of the parties seeking to recover damages did not personally authorize the filing of the lawsuit.

"(2) COVERED SECURITY.—A security is a 'covered security' if it satisfies the standard for a covered security specified in paragraph (1) or (2) of section 18(b) at the time during which it is alleged that the misrepresentation, omission, or manipulative or deceptive conduct occurred.".

(2) CONFORMING AMENDMENTS.—Section 22(a) of the Securities Act of 1933 (15 U.S.C. 77v(a)) is amended—

(A) by striking "and, concurrent with State and Territorial courts," and inserting "and, concurrent with State and Territorial courts, except as provided in section 16 with respect to class actions,"; and

(B) by striking "No case arising under this title and brought in any State court of competent jurisdiction shall be removed" and inserting "Except as provided in section 16(c), no case arising under this title and brought in any State court of competent jurisdiction shall be removed".

(b) AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.—Section 28 of the Securities Exchange Act of 1934 (15 U.S.C. 78bb) is amended—

(1) in subsection (a), by striking "The rights and remedies" and inserting "Except as provided in subsection (f), the rights and remedies"; and

(2) by adding at the end the following new subsection:

"(f) LIMITATIONS ON REMEDIES.—

"(1) CLASS ACTION LIMITATIONS.—No class action based upon the statutory or common law of any State or subdivision thereof may be maintained in any State or Federal court by any private party alleging—

"(A) a misrepresentation or omission of a material fact in connection with the purchase or sale of a covered security; or

"(B) that the defendant used or employed any manipulative or deceptive device or contrivance in connection with the purchase or sale of a covered security.

"(2) REMOVAL OF CLASS ACTIONS.—Any class action brought in any State court involving a covered security, as set forth in paragraph (1), shall be removable to the Federal district court for the district in which the action is pending, and shall be subject to paragraph (1).

"(3) DEFINITIONS.—For purposes of this subsection the following definitions shall apply:

"(A) CLASS ACTION.—The term 'class action' means any single lawsuit, or any group of lawsuits filed in or pending in the same court involving common questions of law or fact, in which—

"(i) damages are sought on behalf of more than 25 persons;

"(ii) one or more named parties seek to recover damages on a representative basis on behalf of themselves and other unnamed parties similarly situated; or

"(iii) one or more of the parties seeking to recover damages did not personally authorize the filing of the lawsuit.

"(B) COVERED SECURITY.—A security is a 'covered security' if it satisfies the standard for a covered security specified in paragraph (1) or (2) of section 18(b) of the Securities Act of 1933, at the time during which it is alleged that the misrepresentation, ommission, or manipulative or deceptive conduct occurred.".

(c) APPLICABILITY.—The amendments made by this section shall not affect or apply to any action commenced before and pending on the date of enactment of this Act.

Mr. DODD. Mr. President, I am very pleased this afternoon to rise along with my colleague, Senator GRAMM of Texas, who spoke a few moments ago, on a bill that the two of us are introducing together. I regret that I wasn't on the floor at the time he made his remarks. But I appreciate very much his leadership on this issue.

We are introducing a bill called the Securities Litigation Uniform Standards Act of 1997.

Just about 2 years ago, I stood here as part of a successful effort to restore the integrity and fairness of our private securities litigation system.

It's probably appropriate at this juncture to remind ourselves just how important the private litigation system has been in maintaining the integrity of our capital markets.

It is highly questionable whether our markets would be as deep, as liquid, as strong, as transparent, were it not for our system of maintaining private rights of action against those who commit fraud.

It is precisely because of the importance of this system, that the depths to which it had sunk by 1995 was so very troubling.

The system was no longer a mechanism for aggrieved investors to seek justice and restitution, but was instead a means for enterprising attorneys to manipulate its procedures for their own considerable profit and to the detriment of legitimate companies and investors across the Nation.

I could easily spend all of my time today recounting the cases of abusive and frivolous litigation that were hindering our growth industries; suffice to say that the flaws in the litigation system not only threatened the viability of private rights of action, but also presented a serious threat to the growth and success of key industries across the Nation.

Now that we are 2 years out from enactment of the reform bill, it is easy to see that many of the reforms are working well and that aggrieved investors still have access to the courthouse.

However, there is one development since the enactment of the reform law that has the potential to undermine our good work and send us back to the days of litigation frenzy.

This development is the significant increase in securities fraud class actions filed in State court.

Prior to congressional enactment of the reform law in 1995, securities fraud class actions in State court were almost unheard of. People went to the Federal courts.

But since we reformed the Federal system, there has been substantial increases in State court filings both in 1996 and 1997.

It is not unreasonable to assume that it is the weaker, even abusive claims, that are now finding a home in State court that they no longer have in Federal court.

The development of differing standards in State courts is troubling not only to this Senator, but also to the President. In a letter the President sent to me on this subject in July, he stated:

> The possibility of change in one or more States' securities laws similar to those proposed [last year] in California's Proposition 211 suggests that there may be a need to reconsider the appropriate balance of Federal and State roles in securities law. As I said when I opposed Proposition 211 last August, the proliferation of multiple and inconsistent standards could undermine national law.

In April, the Securities and Exchange Commission conducted a survey for the President, on the effect of the reform act; one of the survey's conclusions was:

> To the extent that State courts can be used to avoid the discovery stay in cases that would otherwise have been brought in Federal court, one of the goals of the reform act may be frustrated.

This migration of frivolous class actions to State court threatens the effectiveness of the reform act.

Not only is it reasonable to assume that more and more companies could become hostage to increased State litigation costs, but the prospect of State litigation, where there is no safe harbor for forward-looking statements, is right now having a chilling effect upon corporate disclosure of projections and other forward-looking information.

Let me just as an aside state how important it is for prospective investors to get as much disclosure from companies as they possibly can so that they can make intelligent decisions about whether to invest their hard-earned dollars in these companies. Mr. President, this is a question of getting as much information, as I said, from companies. What we had in the Federal law was, of course, a safe harbor to allow for statements to be made that could then not be used against the corporation in some frivolous lawsuit.

Now, reasonable people, of course, may disagree with the magnitude of the State litigation problem as it exists today. I would be first to admit that as well. I do not want to suggest to my colleagues that we have some overwhelming problem on our hands.

But whether you believe that it is a small, medium, or even large problem today, as some do, it is a less important question, in my view, than whether you believe it is a problem that is destined to get worse. I think on that everyone can agree.

Again, I think the Securities and Exchange Commission survey is instructive on this point. I quote from the report.

> . . . if State law provides advantages to plaintiffs in particular case, it is reasonable to expect that plaintiffs' counsel will file suit in State court.

The plain English translation: any plaintiffs' attorney worth his salt is going to file in State court if he feels it will give him an advantage.

SEC Commissioner Steve Wallman succinctly outlined the harm that the proliferation of State class actions is having on securities system when he said that "this phenomenon is clearly balkanizing the Federal securities laws."

In testimony submitted to the Securities Subcommittee in July, Commissioner Wallman also pointed out that the debate over establishing a national standard for litigation on national securities is one that should take place, even if there was no burgeoning problem on the State level:

> The issue of pre-emption is broader than the potential effectiveness of the reform act, even though the reform act's effectiveness may be the current catalyst for raising the matter.
>
> Rather than permit or foster fragmentation of our national system of securities litigation, we should give due consideration to the benefits flowing to investors from a uniform national approach. That analysis can be pursued, and conclusions reached, regardless of whether one believes we now know—or will, within any reasonable time frame, know—the definitive impact of the reform act.

The idea of creating a national standard for nationally traded securities is consistent with the recent trend in Congress, the SEC, and in the States themselves, to redefine the relationship between the States and the Federal Government on securities issues.

SEC Chairman Arthur Levitt, in discussing securities regulation, provided a perspective that should guide our debate over securities litigation:

> The current system of dual Federal-State regulation is not the system that Congress—or the Commission—would create today if we were designing a new system. While securities markets today are global, issuers and securities firms must still [comply with] 52 separate jurisdictions. . . . It appears that an appropriate balance can be attained in the Federal-State arena that better allocates responsibilities, reduces compliance costs

and facilitates capital formation, while continuing to provide for the protection of investors.

The point is if we are beginning de novo you wouldn't set up this situation. Obviously, we are not going to scrap it all. But we ought to try to reform it in a way that reflects the way we are today.

The principle of national treatment for national securities trading on national exchanges is as solid for legislation on securities litigation as it was for securities regulation.

The legislation that we are introducing today, if enacted, will allow Congress to address this State litigation problem before it gets completely out of control.

It will do so in a very targeted and narrow way, essentially preempting only those class actions that have recently migrated to State court, while leaving traditional State court actions and procedures solidly in place.

First, the legislation applies only to class actions, which are defined as those actions in which damages are sought on behalf of more than 25 people, one or more parties seek damages on behalf of other unnamed parties, or one or more of the parties did not personally authorize the suit.

Actions involving less than 25 people would not be affected.

Second the legislation is limited only to those securities that are listed on one of the three national stock exchanges—the New York, American, and NASDAQ stock market. Our legislation uses the definition of "covered security" that was used to preempt State regulation in last year's National Securities Markets Improvement Act.

The legislation does not affect any State enforcement action, whether civil or criminal. State regulators retain their full authority to bring enforcement actions in any venue allowed under State law.

In fact, the California Securities Regulator testified very strongly in support of establishing uniform national litigation standards for nationally traded securities.

Let me again emphasize what this bill does not do: it does not affect individual actions in State court; it does not protect penny stocks, delisted securities, roll-ups, or securities sold only within a single State; it does not protect bad brokers or investment advisors; it does not impact on State regulators.

This legislation has been carefully crafted only to affect those types of class actions that are appropriately heard on the Federal level.

To the extent that there are technical modifications needed to ensure that no other State actions are impacted, I certainly pledge that we will make those changes to keep the bill focused only on the problem area.

Mr. President, our capital markets are the envy of the world and America is the undisputed leader in the financial services industry.

But if we are to remain the global leader, if our markets are to remain ahead of those in London, Frankfurt, Tokyo or Hong Kong, we must create uniformity and certainty.

How can we expect to get foreign companies to list on our exchanges if we have to explain that they will face not only our very tough Federal standards on securities fraud, but also the possibility of 50 constantly changing State standards.

That's not a reasonable proposition for a foreign company, or even for an American one.

This legislation will create certainty and establish uniformity without impinging on the traditional and important role that States play in combating fraud.

I urge my colleagues to cosponsor this bill and I look forward to returning to the floor soon to see this bill pass the Senate.

Senator GRAMM of Texas and I feel that this is a solid piece of legislation. Again, the problem is not totally out of hand yet. The trend lines are clear. We are not infringing upon State courts or State regulators and State traded securities but only nationally traded securities on the three national markets.

So we end up with a national standard which is what we intended when we passed the Reform Act of 2 years ago.

With that, Mr. President, I again thank my colleagues for their patience. I urge them to take a good look at the piece of legislation which Senator GRAMM of Texas and I have introduced, and urge them to cosponsor the bill and join us in passing this legislation.

By Mr. FRIST:

S. 1261. A bill to establish the Education Scholars Block Grant Program; to the Committee on Labor and Human Resources.

THE TEACHER INVESTMENT ACT

Mr. FRIST. Mr. President, I recently had the opportunity to hold forums on education across my home State of Tennessee. I traveled to Nashville, Memphis, and Knoxville to listen to a variety of people with expertise in educational issues, such as teachers, students, principals, and school board members. These events were a wonderful opportunity for me to listen. While a variety of educational issues were explored at each of the forums, the need for an ample, qualified teaching force was a predominant theme at each forum.

I would like to note that Tennessee's 1997 Teacher of the Year, Ms. Cathy Pihl, was both present at the Memphis forum on education and is here with us today. I am also pleased that Mr. Jon Hubble, Tennessee's 1997 Teacher of the Year finalist, is also here. Cathy is a fourth grade teacher at Kate Bond Elementary School in Memphis, TN, with 8 years of teaching experience. Jon, who has 10 years of teaching experience, teaches social studies to seventh and eighth grade students at Wright Middle School in Nashville, TN. I am delighted to have both of these outstanding teachers here with us today. We must encourage and enable more students to follow in Cathy and Jon's footsteps.

In addition to what I heard in Tennessee about the need for qualified teachers, recent statistics highlight the need for a strong teaching force across the Nation. Elementary and secondary school enrollments are expected to reach an all-time high this fall—52.2 million students. Approximately 2 million more teachers will be needed for the next decade.

The Teacher Investment Act, which I am introducing today, would allow State education agencies to award scholarships to students who are studying to become elementary and secondary school teachers. These scholarships would not need to be repaid provided the students meet certain criteria.

Specifically, scholarships may go to both undergraduate and graduate students who are committed to becoming teachers. In addition, the individual must have demonstrated outstanding academic achievement in college and must commit to teaching for 2 years in an elementary or secondary school.

Quite simply, we need more Cathy's and Jon's. One way to achieve this goal is to invest resources to prepare a new generation of teachers. In return, the scholarship recipients must invest at least 2 years in the teaching field. The Teacher Investment Act makes a serious commitment to both our future teachers and students. However, as we discuss our future teachers, I, again, would like to highlight the important achievements and contributions of two of today's teachers—Jon Hubble and Cathy Pihl, who represent Tennessee's teachers so well.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1261

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

SECTION 1. EDUCATION SCHOLARS BLOCK GRANT PROGRAM.

Part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) is amended by adding at the end the following:

"Subpart 9—Education Scholars Block Grant Program

"SEC. 420G. SHORT TITLE; PURPOSE; AUTHORIZATION OF APPROPRIATIONS.

"(a) SHORT TITLE.—This subpart may be cited as the 'Teacher Investment Act'.

"(b) PURPOSE.—It is the purpose of this subpart—

"(1) to attract more of our Nation's most academically gifted students into teaching careers in elementary and secondary education;

"(2) to retain in teaching our Nation's best teachers who have demonstrated promise in, and a commitment to, a teaching career;

"(3) to increase the public status of a teaching career in elementary and secondary education;

"(4) to address the anticipated shortage of teachers in the next several decades; and

"(5) to provide States with the flexibility to integrate State teacher education initiatives with Federal teacher scholarship support.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 1998 and each of the 4 succeeding fiscal years.

"SEC. 420H. SCHOLARSHIP AUTHORIZED.

"(a) PROGRAM AUTHORITY.—The Secretary may award grants to States from allotments under section 420I to enable the States to provide scholarships to individuals who—

"(1)(A) have completed at least half of the academic credit requirements for graduation from an institution of higher education with a bachelor's degree, or with a graduate degree that prepares the individual for licensure or certification as an elementary school or secondary school teacher;

"(2) are admitted to or enrolled in an institution of higher education;

"(3) have demonstrated outstanding academic achievement while enrolled in an institution of higher education; and

"(4) are committed to becoming or remaining elementary school or secondary school teachers.

"(b) PERIOD OF AWARD.—A State shall determine the scholarship period, except that a scholarship recipient shall not receive a scholarship award for more than 2 years of study at any institution of higher education.

"SEC. 420I. ALLOTMENT AMONG STATES.

"(a) ALLOCATION FORMULA.—From the sums appropriated pursuant to the authority of section 420G(c) for any fiscal year, the Secretary shall allot to each State that has an agreement under section 420J an amount equal to $5,000 multiplied by the number of scholarships determined by the Secretary to be available to such State in accordance with subsection (b).

"(b) NUMBER OF SCHOLARSHIPS AVAILABLE.—The number of scholarships to be made available in a State for any fiscal year shall bear the same ratio to the number of scholarships made available to all States as the State's population ages 5 through 17 bears to the population ages 5 through 17 in all the States, except that not less than 10 scholarships shall be made available to any State.

"(c) USE OF CENSUS DATA.—For the purpose of this section, the population ages 5 through 17 in a State and in all the States shall be determined by the most recently available data from the Bureau of the Census that the Secretary determines is satisfactory.

"SEC. 420J. STATE AGREEMENTS.

"The Secretary shall enter into an agreement with each State desiring to participate in the scholarship program under this subpart. Each such agreement shall include provisions to ensure that—

"(1) the State educational agency will administer the program in the State;

"(2) the State educational agency will comply with the provisions of this subpart;

"(3) the State educational agency will conduct outreach activities to publicize the availability of the scholarships to all eligible postsecondary students in the State, with particular emphasis on activities designed to ensure that students from low-income and moderate-income families have access to the information regarding the opportunity for full participation in the program; and

"(4) the State educational agency will pay to each individual in the State who is awarded a scholarship the cost of tuition and fees at an institution of higher education for a year, except that such payment shall not exceed $5,000.

"SEC. 420K. SELECTION OF EDUCATION SCHOLARS.

"(a) ESTABLISHMENT OF CRITERIA.—The State educational agency shall establish the criteria for selection of scholars. Such criteria shall—

"(1) fulfill the purpose of the subpart in accordance with a State's projected elementary school and secondary school teaching needs and priorities; and

"(2) require a scholarship recipient to have demonstrated outstanding academic achievement and a commitment to a teaching career, as determined by the State educational agency.

"(b) LIMITATIONS.—In awarding scholarships under this subpart, the State educational agency shall provide—

(1) not less than 75 percent of the scholarships to individuals who do not possess a bachelor's degree; and

(2) not more than 25 percent of the scholarships to individuals who are pursuing a graduate degree.

"(c) CONSULTATION REQUIREMENT.—In carrying out this subpart, the State educational agency shall consult with school administrators, school boards, teachers, and counselors.

"SEC. 420L. AWARD AMOUNT; SCHOLARSHIP CONDITIONS.

"(a) AWARD AMOUNT.—Each individual awarded a scholarship under this subpart shall receive an award for the cost of tuition and fees at an institution of higher education of not more than $5,000 for an academic year of study.

"(b) CONDITIONS.—Each State educational agency receiving a grant under this subpart shall establish procedures to ensure that each scholarship recipient—

"(1) pursues a course of study at an institution of higher education;

"(2) maintains a 3.0 grade point average on a 4.0 scale; and

"(3) enters into an agreement to teach in accordance with section 420M(a).

"SEC. 420M. SCHOLARSHIP AGREEMENT; REPAYMENT PROVISIONS.

"(a) SCHOLARSHIP AGREEMENT.—Each recipient of a scholarship under this subpart shall enter into an agreement with the State educational agency under which the recipient shall—

"(1) within the 2-year period after completing the education for which the scholarship was awarded, teach for a period of 2 years as an elementary school or secondary school teacher in the State served by the State educational agency;

"(2) provide the State educational agency with evidence of compliance, determined pursuant to regulations promulgated by the Secretary, with the provisions of paragraph (1); and

"(3) repay all or part of the scholarship award received in accordance with subsection (b) in the event the conditions of paragraph (1) are not complied with, except as provided by section 420N.

"(b) REPAYMENT PROVISIONS.—A recipient of a scholarship found by the State educational agency to be in noncompliance with the agreement entered into under subsection (a) shall be required to repay to the State educational agency a pro rata amount of such scholarship assistance received, plus interest, at the rate of 8 percent or the rate applicable to loans in the applicable period under part B of this title, whichever is lower, and where applicable, reasonable collection fees, on a schedule to be prescribed by the Secretary pursuant to regulations promulgated under this subpart.

"SEC. 420N. EXCEPTIONS TO REPAYMENT PROVISIONS.

"(a) DEFERRAL DURING CERTAIN PERIODS.—A scholarship recipient shall not be considered in violation of the agreement entered into pursuant to section 420M(a) during any period in which the recipient—

"(1) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;

"(2) is serving, not in excess of 3 years, as a member of the Armed Forces;

"(3) is temporarily totally disabled for a period of time not to exceed 3 years as established by the sworn affidavit of a qualified physician;

"(4) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

"(5) is seeking and unable to find full-time employment for a single period not to exceed 12 months; or

"(6) satisfies the provisions of additional repayment exceptions that may be prescribed by the Secretary in regulations promulgated under this subpart.

"(b) FORGIVENESS IF PERMANENTLY TOTALLY DISABLED.—A recipient shall be excused from repayment of any scholarship assistance received under this subpart if the recipient becomes permanently and totally disabled as established by the sworn affidavit of a qualified physician.

"SEC. 420O. CONSTRUCTION OF NEEDS PROVISIONS.

"Except as provided in section 471, nothing in this subpart, or any other Act, shall be construed to permit the receipt of a scholarship under this subpart to be counted for any needs analysis in connection with the awarding of any grant or the making of any loan under this Act or any other provision of Federal law relating to education assistance.".

By Mr. FAIRCLOTH:

S. 1262. A bill to authorize the conveyance of the Coast Guard station, Ocracoke, NC; to the Committee on Commerce, Science, and Transportation.

CONVEYANCE AUTHORIZATION LEGISLATION

Mr. FAIRCLOTH. Mr. President, I am introducing this bill today to authorize the Department of Transportation to convey the Coast Guard station, Ocracoke, NC, to the State of North Carolina, when the Coast Guard determines that it no longer needs to keep the facility.

This station is located on the southern end of Ocracoke Island, adjacent to the wharf where the ferries to and from Swan Quarter and Cedar Island dock. It is vital that these limited ferry facilities are expanded to meet the ever-growing demands of more and more traffic, and this Coast Guard station is ideal for this purpose. Since the port at Ocracoke is the southern termination of State highway 12 on the Outer Banks, these ferries are the only way to get residents and tourists across

Pamlico Sound in the event of the need to evacuate when hurricanes threaten. The only other way off this stretch of the Outer Banks is the bridge at Roanoke Island, which is more than 75 miles to the north of Ocracoke.

The State also plans to use this surplus Coast Guard facility for educational purposes. While the ferry division has a need for the grounds and a portion of the station buildings, the remaining spaces can be used for coastal environmental study. Of course the Coast Guard will continue to have access to the docking facilities to any extent needed.

Mr. President, with the safety of the residents and of all our guests that visit the Outer Banks uppermost in my mind, I urge timely consideration and passage of this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1262

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

SECTION 1. LAND CONVEYANCE, COAST GUARD STATION OCRACOKE, NORTH CAROLINA.

(a) AUTHORITY TO CONVEY.—The Secretary of Transportation may convey, without consideration, to the State of North Carolina (in this section referred to as the "State"), all right, title, and interest of the United States in and to a parcel of real property, together with any improvements thereon, in Ocracoke, North Carolina, consisting of such portion of the Coast Guard Station Ocracoke, North Carolina, as the Secretary considers appropriate for purposes of the conveyance.

(b) CONDITIONS.—The conveyance under subsection (a) shall be subject to the following conditions:

(1) That the State accept the property to be conveyed under that subsection subject to such easements or rights of way in favor of the United States as the Secretary considers to be appropriate for—

(A) utilities;

(B) access to and from the property;

(C) the use of the boat launching ramp on the property; and

(D) the use of pier space on the property by search and rescue assets.

(2) That the State maintain the property in a manner so as to preserve the usefulness of the easements or rights of way referred to in paragraph (1).

(3) That the State utilize the property for transportation, education, environmental, or other public purposes.

(c) REVERSION.—(1) If the Secretary determines at any time that the property conveyed under subsection (a) is not be used in accordance with subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(2) Upon reversion under paragraph (1), the property shall be under the administrative jurisdiction of the Administrator of General Services.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under subsection (a), and any easements or rights of way granted under subsection (b)(1), shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the State.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to the conveyance under subsection (a), and any easements or rights of way granted under subsection (b)(1), as the Secretary considers appropriate to protect the interests of the United States.

By Mr. BINGAMAN:

S. 1263. A bill to establish requirements regarding national tests in reading and mathematics; to the Committee on Labor and Human Resources.

THE VOLUNTARY NATIONAL TESTING ACT OF 1997

Mr. BINGAMAN. Madam President, today as the House-Senate conferees are scheduled to meet again, I am introducing the Voluntary National Testing Act of 1997 for two main reasons: to clarify many of the misconceptions that have arisen since the Senate voted in favor of this approach, and—to counter the mistaken impression that support for voluntary national testing has eroded in recent weeks.

This legislation simply makes permanent the compromise approach that was approved overwhelmingly by the Senate last month.

While the Senate amendment gave NAGB, the governing board, authority for only fiscal year 1998, this legislation would provide permanent authority.

Otherwise, the language is identical to that amendment: it prevents anyone from being forced to take the test or attach any funding conditions on the test; transfers control immediately to the independent board, which will have full power to change any elements it deems necessary; and charges the board with revisiting key issues that have arisen so far, such as whether students should use calculators or whether there should be a test in a student's native language if needed.

Contrary to what some may think, there are many signs that support for voluntary national tests remains strong despite scare tactics and "education-ese" being used by its opponents.

Public opinion—as well as the views of almost every mainstream education and business organization in the country—remains strongly in favor of making rigorous, standard measures of student achievement available.

The most recent polls show that two-thirds of the public favor the President's proposal—even more are in favor of the general approach that is in this bill.

Though two districts have decided not to administer the reading exam, all 15 original districts are still planning to administer at least the math test and all 7 States that have signed up remain on board for both exams.

Contrary to what is being said, I do not think there has been any major controversy about the NAEP tests we are planning to use as models for the new ones—after all, pretty much everyone can agree on what we expect our children to know about reading and math at fourth and eighth grade.

There is not much that's controversial about reading a paragraph from Charlotte's Web, or figuring out a word problem in math.

The benefits of a voluntary national test are clear to the parents and teachers who are most determined to see better schools for their children.

Let us allow State and local communities to decide for themselves, rather than making the decision for them here in Washington.

Right now, many States currently offer tests and some are quite good—but they have no common standard and many mislead parents into thinking their children are doing better than they actually are.

Under the new approach, many students would struggle and even fail at first, it's true. But, through the combined efforts of their teachers, parents, and community leaders, far more than anyone expected beforehand would eventually succeed—it's happening in Milwaukee and Philadelphia already.

The voluntary national tests are about setting high expectations for all children, measuring progress in a way that's widely accepted, and demanding accountability for improvements that we all know are needed. They are not about treating minorities unfairly or usurping local and parental control over what is taught in school, which I would never support.

With a common measure of progress it becomes increasingly possible to win additional financial support so desperately needed—it is a necessary step. Voluntary national tests would provide parents new insight so they could push hard for improvements in our public schools that might otherwise not occur.

Support in the Senate remains solidly in favor of the compromise approach to developing a voluntary national test.

Faced with a choice between banning the tests and transferring control to an independent board, 87 Senators less than a month ago voted in favor of developing the tests under the governing board.

I recently worked with 43 Senators to sign a very strong letter pledging to filibuster the conference report if it banned development of the tests before States or districts could decide. This support overwhelms the opposition of a small part of the Senate, led by Senator ASHCROFT.

If necessary, this is more than enough to block consideration of the conference report or support a Presidential veto—regardless of how the House votes.

By Mr. HARKIN (for himself, Mr. DASCHLE, Mr. LEAHY, and Mr. JOHNSON):

S. 1264. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through enhanced enforcement; to the Committee on Agriculture, Nutrition, and Forestry.

THE FOOD SAFETY ENFORCEMENT ENHANCEMENT ACT OF 1997

Mr. HARKIN. Mr. President, today, I along with Senators LEAHY, DASCHLE, and JOHNSON will introduce legislation to enhance the enforcement of our Nation's meat and poultry inspection laws and preserve consumer confidence in the safety of the food they eat. Earlier this year, Americans were stunned by the recall of 25 million pounds of hamburger. They were further amazed when they learned that the Secretary of Agriculture does not have the authority to demand a recall of adulterated product. He does not even have the authority to impose civil fine on a company which knowingly or repeatedly violates food safety laws.

Given the recent number of E. coli outbreaks across the country, Americans are demanding that we do more to prevent food-borne contamination and to stop it in its tracks once an outbreak has been identified. Farmers and ranchers expect us to do more to protect consumer confidence in the products from which they make their hard-earned living.

This legislation I am introducing, which has been developed in cooperation with the Secretary of Agriculture, will give the USDA important new tools to enforce our food safety laws. The legislation would require processors and handlers to notify the USDA of the existence of adulterated meat and poultry products, allow the Secretary to recall adulterated products, and give him the ability to levy civil penalties.

Currently USDA is limited to the atomic bomb of food safety tools. The Secretary can request a recall of product which is suspected to be tainted, withdraw inspection from a processing plant, and issue press releases alerting consumers. In the case of Hudson, a company went out of business, several people were hospitalized and consumer confidence in beef products was shaken. Clearly we need other tools for the USDA to address food safety concerns short of such extreme measures.

The Secretary already has civil penalty authority under 11 other statutes. He can issue civil penalties for the abuse of a circus elephant, but not for the shipment of adulterated meat. In addition, 68 percent of States with State meat inspection systems have civil penalty authority. The number of states with mandatory E. coli 0157:H7 reporting requirements has more than doubled since 1992.

To be sure, we cannot guarantee that the new enforcement powers in this legislation would have prevented the Hudson recall from occurring or that they will prevent future outbreaks. But mandatory reporting of adulterated meat and mandatory recall authority just makes good sense. With these powers, the USDA will be able to respond more quickly to ensure public safety and consumer confidence.

I view this bill, however, as only the beginning of a process to identify needs in the meat and poultry food chain that can lead to enhanced public safety. All sectors of the food system, from the producer to the consumer need to take responsibility for improved safety. Real food safety cannot be achieved by any one method. We need multiple defenses, using each to their maximum potential. To lower the incidence of food-borne illness we must take a number of steps: Additional research into the way that food-borne pathogens infect animals, remain in the meat products and cause illness in humans; increased research into treatments of food-borne illnesses; improved identification and regulation of hazard points in the production and processing processes; electronic pasteurization as a means of actually reducing pathogens in meat and poultry products; and consumer education on the proper handling and preparation of meat to reduce the risk of illness.

We are currently making progress toward improving food safety. The new Hazard Analysis Critical Control Points [HACCP] meat inspection system will begin to go into effect in 1998. This new science-based inspection system will specifically target E. coli and salmonella in the meat processing system and is designed to prevent, not just identify contamination. We need to get this system in place and inspectors trained as fast and thoroughly as possible.

Clearly we need to do more. The events of the past few months underscore that need. We cannot sit around and wait until the next fatal food-safety scare. We have to act proactively and decisively. All sectors of agricultural economy have a stake in ensuring food safety, from the producer to the consumer. I will work closely with consumer advocates, producers and industry to develop a comprehensive package of legislation that will raise the standard of food safety in this country. I believe this bill is a good starting point.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1264

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Food Safety Enforcement Enhancement Act of 1997".

SEC. 2. FOOD SAFETY ENFORCEMENT FOR MEAT AND MEAT FOOD PRODUCTS.

(a) IN GENERAL.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) is amended—

(1) by redesignating section 411 (21 U.S.C. 681) as section 414; and

(2) by inserting after section 410 (21 U.S.C. 679a) the following:

"SEC. 411. NOTIFICATION, NONDISTRIBUTION, AND RECALL OF ADULTERATED OR MISBRANDED ARTICLES.

"(a) NOTIFICATION.—A person (other than a household consumer) that has reason to believe that a carcass, part of a carcass, meat, or meat food product of cattle, sheep, swine, goats, horses, mules, or other equines (referred to in this section as an 'article') transported, stored, distributed, or otherwise handled by the person is adulterated or misbranded shall immediately notify the Secretary, in such manner and by such means as the Secretary may by regulation promulgate, of the identity and location of the article.

"(b) NONDISTRIBUTION AND RECALL.—

"(1) VOLUNTARY ACTIONS.—On receiving the notification under subsection (a) or otherwise, if the Secretary finds that an article is adulterated or misbranded and that there is a reasonable probability that human consumption of the article would present a threat to public health, as determined by the Secretary, the Secretary shall provide all appropriate persons, as determined by the Secretary, that transported, stored, distributed, or otherwise handled the article with an opportunity to—

"(A) cease distribution of the article;

"(B) notify all persons transporting, storing, distributing, or otherwise handling the article, or to which the article has been transported, sold, distributed, or otherwise handled, to immediately cease distribution of the article;

"(C) recall the article; and

"(D) in consultation with the Secretary, provide notice to consumers to whom the article is, or may have been, distributed.

"(2) MANDATORY ACTIONS.—If the person refuses to or does not voluntarily take the actions described in paragraph (1) with respect to an article within the time and in the manner prescribed by the Secretary, the Secretary shall, by order, require the person to immediately—

"(A) cease distribution of the article; and

"(B) notify all persons transporting, storing, distributing, or otherwise handling the article, or to which the article has been transported, sold, distributed, or otherwise handled, to immediately cease distribution of the article.

"(3) NOTICE TO CONSUMERS.—The Secretary shall, as the Secretary considers necessary, provide notice to consumers to whom the article was, or may have been, distributed.

"(4) NONDISTRIBUTION BY NOTIFIED PERSONS.—A person transporting, storing, distributing, or otherwise handling the article, or to which the article has been transported, sold, distributed, or otherwise handled, that is notified under paragraph (1)(B) or (2)(B) shall immediately cease distribution of the article.

"(c) INFORMAL HEARING ON ORDER.—

"(1) IN GENERAL.—The Secretary shall provide a person subject to an order under subsection (b) with an opportunity for an informal hearing (pursuant to such rules or regulations as the Secretary shall prescribe) on the actions required by the order and on why the article that is the subject of the order should not be recalled.

"(2) TIMING.—The Secretary shall hold the informal hearing as soon as practicable, but

not later than 2 days, after the issuance of the order.

"(d) RECALL OR OTHER ACTIONS.—

"(1) IN GENERAL.—If, after providing an opportunity for an informal hearing under subsection (c), the Secretary determines that there is a reasonable probability that human consumption of the article that is the subject of an order under subsection (b) presents a threat to public health, the Secretary may—

"(A) amend the order to require recall of the article or other appropriate action;

"(B) specify a timetable during which the recall will occur;

"(C) require periodic reports to the Secretary describing the progress of the recall; and

"(D) provide notice to consumers to whom the article is, or may have been, distributed.

"(2) VACATION OF ORDER.—If, after providing an opportunity for an informal hearing under subsection (c), the Secretary determines that adequate grounds do not exist to continue the actions required by the order, the Secretary shall vacate the order.

"(e) ADDITIONAL REMEDIES.—The remedies provided in this section shall be in addition to any other remedies that may be available.

"SEC. 412. REFUSAL OR WITHDRAWAL OF INSPECTION OF ESTABLISHMENTS.

"(a) IN GENERAL.—The Secretary may, for such period, or indefinitely, as the Secretary considers necessary to carry out this Act, refuse to provide or withdraw inspection under title I with respect to an establishment if the Secretary determines, after opportunity for a hearing on the record is provided to the applicant for, or recipient of, inspection, that the applicant or recipient, or any person responsibly connected with the applicant or recipient (within the meaning of section 401), has committed a willful violation or repeated violations of this Act (including a regulation promulgated under this Act).

"(b) DENIAL OR SUSPENSION OF INSPECTION PENDING HEARING.—The Secretary may deny or suspend inspection under title I, pending opportunity for an expedited hearing, with respect to an action under subsection (a), if the Secretary determines that the denial or suspension is in the public interest to protect the health or welfare of consumers or to ensure the effective performance of an official duty under this Act.

"(c) JUDICIAL REVIEW.—

"(1) IN GENERAL.—A determination and order of the Secretary with respect to the refusal or withdrawal of inspection under this section shall be final and conclusive unless, not later than 30 days after the effective date of the order, the affected applicant for, or recipient of, inspection—

"(A) files a petition for judicial review of the order; and

"(B) simultaneously sends a copy of the petition by certified mail to the Secretary.

"(2) REFUSAL OR WITHDRAWAL OF INSPECTION PENDING REVIEW.—Inspection shall be refused or withdrawn as of the effective date of the order pending any judicial review of the order unless the Secretary directs otherwise.

"(3) VENUE; RECORD.—Judicial review of the order shall be—

"(A) in—

"(i) the United States court of appeals for the circuit in which the applicant for, or recipient of, inspection resides or has its principal place of business; or

"(ii) the United States Court of Appeals for the District of Columbia; and

"(B) on the record on which the determination and order are based.

"(d) ADDITIONAL REMEDIES.—The remedies provided in this section shall be in addition to any other remedies that may be available.

"SEC. 413. CIVIL PENALTIES.

"(a) IN GENERAL.—

"(1) ASSESSMENT.—The Secretary may assess a civil penalty against a person that violates this Act (including a regulation promulgated or order issued under this Act) of not more than $100,000 for each violation.

"(2) SEPARATE OFFENSES.—Each violation and each day during which a violation continues shall be a separate offense.

"(3) NOTICE AND OPPORTUNITY FOR HEARING.—The Secretary shall not assess a civil penalty under this section against a person unless the person is given notice and opportunity for a hearing on the record before the Secretary in accordance with sections 554 and 556 of title 5, United States Code.

"(4) AMOUNT.—The amount of a civil penalty under this section shall be—

"(A) assessed by the Secretary by written order, taking into account—

"(i) the gravity of the violation;

"(ii) the degree of culpability;

"(iii) the size and type of the business; and

"(iv) any history of prior offenses under this Act; and

"(B) reviewed only in accordance with subsection (b).

"(b) JUDICIAL REVIEW.—

"(1) IN GENERAL.—An order assessing a civil penalty against a person under subsection (a) shall be final and conclusive unless the person—

"(A) not later than 30 days after the effective date of the order, files a petition for judicial review in—

"(i) the United States court of appeals for the circuit in which the person resides or has its principal place of business; or

"(ii) the United States Court of Appeals for the District of Columbia; and

"(B) simultaneously sends a copy of the petition by certified mail to the Secretary.

"(2) RECORD.—The Secretary shall promptly file in the court a certified copy of the record on which the violation was found and the civil penalty assessed.

"(c) COLLECTION ACTION FOR FAILURE TO PAY ASSESSMENT.—

"(1) REFERRAL TO ATTORNEY GENERAL.—If a person fails to pay a civil penalty after the order assessing the civil penalty has become final and unappealable, the Secretary shall refer the matter to the Attorney General.

"(2) ACTION BY ATTORNEY GENERAL.—The Attorney General shall bring a civil action to recover the amount of the civil penalty in United States district court.

"(3) SCOPE OF REVIEW.—In the collection action, the validity and appropriateness of the order of the Secretary imposing the civil penalty shall not be subject to review.

"(d) REFUSAL OR WITHDRAWAL OF INSPECTION PENDING PAYMENT.—If a person fails to pay the amount of a civil penalty after the order assessing the civil penalty becomes final and unappealable, the Secretary may refuse to provide or withdraw inspection under title I of the person until the civil penalty is paid or until the Secretary directs otherwise.

"(e) PENALTIES IN LIEU OF OTHER ACTIONS.—Nothing in this Act requires the Secretary to report for prosecution, or for the institution of an action, a violation of this Act if the Secretary believes that the public interest will be adequately served by assessment of a civil penalty.

"(f) ADDITIONAL REMEDIES.—The remedies provided in this section shall be in addition to any other remedies that may be available.".

(b) CONFORMING AMENDMENTS.—

(1) Section 1 of the Federal Meat Inspection Act (21 U.S.C. 601) is amended by adding at the end the following:

"(w) PERSON.—The term 'person' means any individual, partnership, corporation, association, or other business unit.".

(2) The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) is amended—

(A) by striking "person, firm, or corporation" each place it appears and inserting "person";

(B) by striking "persons, firms, and corporations" each place it appears and inserting "persons"; and

(C) by striking "persons, firms, or corporations" each place it appears and inserting "persons".

SEC. 3. FOOD SAFETY ENFORCEMENT FOR POULTRY AND POULTRY FOOD PRODUCTS.

The Poultry Products Inspection Act (21 U.S.C. 451 et seq.) is amended—

(1) in the first sentence of section 5(c)(1) (21 U.S.C. 454(c)(1))—

(A) by striking ", by thirty days prior to the expiration of two years after enactment of the Wholesome Poultry Products Act,"; and

(B) by striking "sections 1–4, 6–10, and 12–22 of this Act" and inserting "sections 1 through 4, 6 through 10, 12 through 22, and 31 through 33"; and

(2) by adding at the end the following:

"SEC. 31. NOTIFICATION, NONDISTRIBUTION, AND RECALL OF ADULTERATED OR MISBRANDED ARTICLES.

"(a) NOTIFICATION.—A person (other than a household consumer) that has reason to believe that any poultry or poultry product (referred to in this section as an 'article') transported, stored, distributed, or otherwise handled by the person is adulterated or misbranded shall immediately notify the Secretary, in such manner and by such means as the Secretary may by regulation promulgate, of the identity and location of the article.

"(b) NONDISTRIBUTION AND RECALL.—

"(1) VOLUNTARY ACTIONS.—On receiving notification under subsection (a) or otherwise, if the Secretary finds that an article is adulterated or misbranded and that there is a reasonable probability that human consumption of the article would present a threat to public health, as determined by the Secretary, the Secretary shall provide all appropriate persons, as determined by the Secretary, that transported, stored, distributed, or otherwise handled the article with an opportunity to—

"(A) cease distribution of the article;

"(B) notify all persons transporting, storing, distributing, or otherwise handling the article, or to which the article has been transported, sold, distributed, or otherwise handled, to immediately cease distribution of the article;

"(C) recall the article; and

"(D) in consultation with the Secretary, provide notice to consumers to whom the article is, or may have been, distributed.

"(2) MANDATORY ACTIONS.—If the person refuses to or does not voluntarily take the actions described in paragraph (1) with respect to an article within the time and in the manner prescribed by the Secretary, the Secretary shall, by order, require the person to immediately—

"(A) cease distribution of the article; and

"(B) notify all persons transporting, storing, distributing, or otherwise handling the article, or to which the article has been transported, sold, distributed, or otherwise

handled, to immediately cease distribution of the article.

"(3) NOTICE TO CONSUMERS.—The Secretary shall, as the Secretary considers necessary, provide notice to consumers to whom the article was, or may have been, distributed.

"(4) NONDISTRIBUTION BY NOTIFIED PERSONS.—A person transporting, storing, distributing, or otherwise handling the article, or to which the article has been transported, sold, distributed, or otherwise handled, that is notified under paragraph (1)(B) or (2)(B) shall immediately cease distribution of the article.

"(c) INFORMAL HEARING ON ORDER.—

"(1) IN GENERAL.—The Secretary shall provide a person subject to an order under subsection (b) with an opportunity for an informal hearing (pursuant to such rules or regulations as the Secretary shall prescribe) on the actions required by the order and on why the article that is the subject of the order should not be recalled.

"(2) TIMING.—The Secretary shall hold the informal hearing as soon as practicable, but not later than 2 days, after the issuance of the order.

"(d) RECALL OR OTHER ACTIONS.—

"(1) IN GENERAL.—If, after providing an opportunity for an informal hearing under subsection (c), the Secretary determines that there is a reasonable probability that human consumption of the article that is the subject of an order under subsection (b) presents a threat to public health, the Secretary may—

"(A) amend the order to require recall of the article or other appropriate action;

"(B) specify a timetable during which the recall will occur;

"(C) require periodic reports to the Secretary describing the progress of the recall; and

"(D) provide notice to consumers to whom the article is, or may have been, distributed.

"(2) VACATION OF ORDER.—If, after providing an opportunity for an informal hearing under subsection (c), the Secretary determines that adequate grounds do not exist to continue the actions required by the order, the Secretary shall vacate the order.

"(e) ADDITIONAL REMEDIES.—The remedies provided in this section shall be in addition to any other remedies that may be available.

"SEC. 32. REFUSAL OR WITHDRAWAL OF INSPECTION OF ESTABLISHMENTS.

"(a) IN GENERAL.—The Secretary may, for such period, or indefinitely, as the Secretary considers necessary to carry out this Act, refuse to provide or withdraw inspection under this Act with respect to an establishment if the Secretary determines, after opportunity for a hearing on the record is provided to the applicant for, or recipient of, inspection, that the applicant or recipient, or any person responsibly connected with the applicant or recipient (within the meaning of section 18(a)), has committed a willful violation or repeated violations of this Act (including a regulation promulgated under this Act).

"(b) DENIAL OR SUSPENSION OF INSPECTION PENDING HEARING.—The Secretary may deny or suspend inspection under this Act, pending opportunity for an expedited hearing, with respect to an action under subsection (a), if the Secretary determines that the denial or suspension is in the public interest to protect the health or welfare of consumers or to ensure the effective performance of an official duty under this Act.

"(c) JUDICIAL REVIEW.—

"(1) IN GENERAL.—A determination and order of the Secretary with respect to the refusal or withdrawal of inspection under this section shall be final and conclusive unless, not later than 30 days after the effective date of the order, the affected applicant for, or recipient of, inspection—

"(A) files a petition for judicial review of the order; and

"(B) simultaneously sends a copy of the petition by certified mail to the Secretary.

"(2) REFUSAL OR WITHDRAWAL OF INSPECTION PENDING REVIEW.—Inspection shall be refused or withdrawn as of the effective date of the order pending any judicial review of the order unless the Secretary directs otherwise.

"(3) VENUE; RECORD.—Judicial review of the order shall be—

"(A) in—

"(i) the United States court of appeals for the circuit in which the applicant for, or recipient of, inspection resides or has its principal place of business; or

"(ii) the United States Court of Appeals for the District of Columbia; and

"(B) on the record on which the determination and order are based.

"(d) ADDITIONAL REMEDIES.—The remedies provided in this section shall be in addition to any other remedies that may be available.

"SEC. 33. CIVIL PENALTIES.

"(a) IN GENERAL.—

"(1) ASSESSMENT.—The Secretary may assess a civil penalty against a person that violates this Act (including a regulation promulgated or order issued under this Act) of not more than $100,000 for each violation.

"(2) SEPARATE OFFENSES.—Each violation and each day during which a violation continues shall be a separate offense.

"(3) NOTICE AND OPPORTUNITY FOR HEARING.—The Secretary shall not assess a civil penalty under this section against a person unless the person is given notice and opportunity for a hearing on the record before the Secretary in accordance with sections 554 and 556 of title 5, United States Code.

"(4) AMOUNT.—The amount of a civil penalty under this section shall be—

"(A) assessed by the Secretary by written order, taking into account—

"(i) the gravity of the violation;

"(ii) the degree of culpability;

"(iii) the size and type of the business; and

"(iv) any history of prior offenses under this Act; and

"(B) reviewed only in accordance with subsection (b).

"(b) JUDICIAL REVIEW.—

"(1) IN GENERAL.—An order assessing a civil penalty against a person under subsection (a) shall be final and conclusive unless the person—

"(A) not later than 30 days after the effective date of the order, files a petition for judicial review in—

"(i) the United States court of appeals for the circuit in which the person resides or has its principal place of business; or

"(ii) the United States Court of Appeals for the District of Columbia; and

"(B) simultaneously sends a copy of the petition by certified mail to the Secretary.

"(2) RECORD.—The Secretary shall promptly file in the court a certified copy of the record on which the violation was found and the civil penalty assessed.

"(c) COLLECTION ACTION FOR FAILURE TO PAY ASSESSMENT.—

"(1) REFERRAL TO ATTORNEY GENERAL.—If a person fails to pay a civil penalty after the order assessing the civil penalty has become final and unappealable, the Secretary shall refer the matter to the Attorney General.

"(2) ACTION BY ATTORNEY GENERAL.—The Attorney General shall bring a civil action to recover the amount of the civil penalty in United States district court.

"(3) SCOPE OF REVIEW.—In the collection action, the validity and appropriateness of the order of the Secretary imposing the civil penalty shall not be subject to review.

"(d) REFUSAL OR WITHDRAWAL OF INSPECTION PENDING PAYMENT.—If a person fails to pay the amount of a civil penalty after the order assessing the civil penalty becomes final and unappealable, the Secretary may refuse to provide or withdraw inspection under this Act of the person until the civil penalty is paid or until the Secretary directs otherwise.

"(e) PENALTIES IN LIEU OF OTHER ACTIONS.—Nothing in this Act requires the Secretary to report for prosecution, or for the institution of an action, a violation of this Act if the Secretary believes that the public interest will be adequately served by assessment of a civil penalty.

"(f) ADDITIONAL REMEDIES.—The remedies provided in this section shall be in addition to any other remedies that may be available.".

Mr. DASCHLE. Mr. President, today I am pleased to join Senator HARKIN and others to introduce legislation that would strengthen the U.S. Department of Agriculture's ability to protect the public from contaminated meat and poultry products. The United States has the safest food in the world, and this USDA-supported food safety initiative, the Food Safety Enforcement Enhancement Act of 1997, would take important steps to ensure it stays that way.

I have considered food safety policy to be of great significance for many years. As chair of the Agriculture Subcommittee on Agriculture Research, Conservation, Forestry and General Legislation in 1993 and 1994, I held a number of hearings on meat and poultry inspection, including a 1993 hearing to consider the *E. coli* crisis in the Pacific Northwest. Subsequent to a series of congressional hearings related to that incident, Senator LEAHY and I introduced a bill requiring USDA to replace its old meat inspection process with a modern system called the Hazard Analysis and Critical Control Point System [HACCP].

HACCP is a major improvement over the old system because it uses scientific understanding of harmful bacteria to prevent contamination from occurring in the first place. Inspectors observe operations at critical control points and test for pathogens in samples scientifically collected at meat and poultry processing plants.

Because USDA needs the tools to respond swiftly and appropriately to violations, our legislation also would have allowed USDA to fine meat packing plants and processors for safety violations, and order mandatory recalls of contaminated meat and poultry products.

Congress did not pass that bill, but USDA was able to implement many of the bill's provisions through administrative means, including the new

HACCP system of meat and poultry inspection. USDA did not have the authority, however, to implement provisions of the bill that would have strengthened the agency's regulatory authority. Today USDA lacks the regulatory tools that were intended to complement the new inspection system.

The Food Safety Enforcement Enhancement Act of 1997 would amend the Federal Meat Inspection Act [FMIA] and the Poultry Products Inspection Act [PPIA] by adding three new enforcement sections: First, to provide for mandatory recall of meat and poultry products; second, to provide more explicit authority to refuse or withdraw inspection; and third, to provide the power to assess civil monetary penalties. This bill would further ensure that the meat in grocery stores and restaurants is free of *E. coli*, salmonella, and other harmful bacteria.

Civil fines and mandatory recall authority are important improvements, and both are employed by other Federal agencies. Civil fines deter undesirable practices, can be imposed more quickly than criminal penalties or inspection withdrawal, and can be tailored to specific cases. The Food Safety Enforcement Enhancement Act of 1997 is careful to combine ample due process protection with the potential for fines. A hearing before an independent administrative law judge is one of the first steps in the process, and an appeals mechanism is also part of the process.

Mandatory recall is an important improvement to a system that currently relies on voluntary recalls by industry. Although the industry historically has cooperated by voluntarily recalling products when food safety has been in question, USDA needs to be able to swiftly recall meat or poultry in the event voluntarism one day fails.

Science allows us to know more today about food safety than ever before in history and to have higher standards than ever before. It is imperative that we use this science to identify and implement the most effective, efficient production practices. The Food Safety Enforcement Enhancement Act of 1997 surely would enable USDA to take great strides in using HACCP to this end.

By Mr. DODD:

S. 1265. A bill to amend the Occupational Safety and Health Act of 1970 to expand the provisions to include construction safety requirements; to the Committee on Labor and Human Resources.

THE CONSTRUCTION SAFETY, HEALTH, AND EDUCATION IMPROVEMENT ACT OF 1997

Mr. DODD. Mr. President, today I am again introducing the Construction Safety, Health, and Education Improvement Act of 1997. In 1970, the passage of the Occupational Safety and Health Act signified a pledge to American workers that workplaces would be safe and healthy. Sadly, 27 years later, we still have a long way to go to fulfill that promise.

Nationally, more than 6,200 people died from work-related injuries in 1995, as average of 17 people each day. More than 1,000 of those deaths were in the construction industry. In Connecticut, construction deaths remain a significant fact of life for men and women who work in this field. But these are not simply statistics. These deaths represent families and friends losing loved ones.

Construction tends to involve some of the most hazardous work done by workers including roofing, excavation, and trenching. The industry faces many challenges in providing a safe work environment. Often, the worksite changes from week to week, or day to day, and workers and subcontractors come and go as a given project moves forward.

I will never forget the tragedy that occurred at a construction site in my home State more 10 years ago. Twenty-eight people lost their lives during the construction of an apartment building called L'Ambiance Plaza in Bridgeport, CT, when the floors of the building collapsed. Ten years have not healed the wounds from that tragedy. I attended a memorial service earlier this year, and saw many of the same people I saw 10 years ago when this tragedy occurred. They were older, but still carry grief over the loss of a spouse, parent, or friend.

Construction disasters are sadly not isolated to a given State or region. In just the last few months, construction workers in Orlando, Chicago, Indianapolis, Brooklyn, Huntington Beach, and Washington, DC, to name just a few, lost their lives in work related accidents.

The bill I am offering today is straightforward and offers commonsense solutions. I introduced similar legislation in each of the past five Congresses. An office of construction, safety, health and education would be established within OSHA tasked to identify construction employees with a high incidence of injury and noncompliance. The office would establish training in construction safety for inspectors, establish model compliance programs and a toll-free number for reporting safety concerns. The bill would require the development and implementation of a written safety and health plan for each construction project, including an analysis of hazardous activities involved in the project and assurances that all employees are notified of these conditions.

Whether 1 person dies or 25 die, any life lost is one too many. We should not suffer another workplace tragedy before we put in place measures to safeguard construction sites. I urge my colleagues to join me in sponsoring this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1265

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Construction Safety, Health, and Education Improvement Act of 1997".

SEC. 2. OFFICE OF CONSTRUCTION SAFETY, HEALTH, AND EDUCATION.

The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) is amended—

(1) by striking sections 30, 31, and 34;

(2) by redesignating sections 32 through 33 as sections 34 and 35, respectively; and

(3) by inserting after section 29 the following:

"SEC. 30. OFFICE OF CONSTRUCTION SAFETY, HEALTH, AND EDUCATION.

"(a) ESTABLISHMENT.—There is established in the Occupational Safety and Health Administration an Office of Construction Safety, Health, and Education (hereinafter in this section referred to as the 'Office') to ensure safe and healthful working conditions in the performance of construction work.

"(b) DUTIES.—The Secretary shall—

"(1) identify construction employers that have high fatality rates or high lost workday injury or illness rates or who have demonstrated a pattern of noncompliance with safety and health standards, rules, and regulations;

"(2) develop a system for notification of employers identified under paragraph (1);

"(3) establish training courses and curriculum for the training of inspectors and other persons with duties related to construction safety and health who are employed by the Occupational Safety and Health Administration;

"(4) establish model compliance programs for construction safety and health standards and assist employers, employees, and organizations representing employers and employees in establishing training programs appropriate to such standards; and

"(5) establish a toll-free line on which reports, complaints, and notifications required under this Act may be made.".

SEC. 3. CONSTRUCTION SAFETY AND HEALTH PLANS AND PROGRAMS.

The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (as amended by section 2) is further amended by adding after section 30 the following:

"SEC. 31. CONSTRUCTION SAFETY AND HEALTH PLANS AND PROGRAMS.

"(a) PROJECT CONSTRUCTOR.—The Secretary shall, by regulation, require each construction project to have an individual or entity (hereinafter referred to as the 'project constructor') that is responsible for the establishment of the safety and health plan (as described in subsection (b)) for such project and for ensuring that the plan is carried out. Such regulations shall require that—

"(1) if only one general or prime contractor exists on a construction project, such contractor shall be the project constructor, unless such contractor designates another entity with such entity's consent to be the project constructor; and

"(2) if a construction project has more than one general or prime contractor, the

construction owner shall be the project constructor unless such construction owner designates another entity with such entity's consent to be the project constructor.

"(b) CONSTRUCTION SAFETY AND HEALTH PLAN.—

"(1) IN GENERAL.—The Secretary shall, by regulation, require that the project constructor for a construction project develop and implement a written construction safety and health plan for the construction project (hereinafter in this section referred to as the 'plan') to protect employees against hazards which may occur at such project.

"(2) PLAN ELEMENTS.—The plan shall—

"(A) include a hazard analysis and construction process protocol which shall apply to each worksite of the project;

"(B) include assurance that each construction employer on the project has a safety and health program which complies and is coordinated with the plan and the requirements of subsection (c);

"(C) provide for regular inspections of the worksite to monitor the implementation of the plan;

"(D) include a method for notifying affected construction employers of any hazardous conditions at a construction worksite or of noncompliance by an employer with the project safety and health plan;

"(E) include a method for responding to the request of any construction employer, employee, or employee representative, for an inspection of a construction worksite to determine if an imminent danger exists and to stop work at, or remove affected employees from, an area in which such a danger exists;

"(F) provide assurance that a competent person is on site at all times to oversee the implementation of the safety plan and coordinate activities among employers; and

"(G) provide assurance that the plan will be reviewed and modified as the project addresses new safety concerns.

"(3) AVAILABILITY.—Copies of the plan shall be made available to each construction employer prior to commencement of construction work by that employer.

"(c) APPLICATION.—

"(1) IN GENERAL.—The Secretary, by regulation, may modify the requirements of this section, or portions thereof, as such requirements apply to certain types of construction work or operations where the Secretary determines that, in light of the nature of the risks faced by employees engaged in such work or operation, such a modification would not reduce the employees' safety and health protection. In making such modification, the Secretary shall take into account the risk of death or serious injury or illness, and the frequency of fatalities and the lost work day injury rate attendant to such work or operations.

"(2) EMERGENCY WORK.—If it is necessary to perform construction work on a worksite immediately in order to prevent injury to persons, or substantial damage to property, and such work must be conducted before compliance with the requirements of the regulations under subsections (a) and (b) can be made, the Secretary shall be given notice as soon as practicable of such work. Compliance with such requirements shall then be made as soon as practicable thereafter.".

SEC. 4. STATE CONSTRUCTION SAFETY AND HEALTH PLANS.

Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) is amended by adding at the end the following:

"(i) Any State plan that covers construction safety and health shall contain requirements which, and the enforcement of which, are, and will be, at least as effective, in providing safe and healthful employment and places of employment in the construction industry as the requirements contained in subsection (c), and the requirements imposed by, and enforced under, this Act and section 107 of the Contract Work Hours Standards Act (40 U.S.C. 333), including requirements relating to construction safety and health plans.".

SEC. 5. ENFORCEMENT.

(a) CITATIONS.—Section 9(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658(a)) is amended by inserting ", 8, or 31" after "section 5".

(b) PROJECT CONSTRUCTORS.—Section 9 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658) is amended by adding at the end the following:

"(e) For purposes of this section and sections 8, 10, 11, and 17 a project constructor shall be considered an employer.".

SEC. 6. REPORTS TO CONGRESS.

The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (as amended by section 3) is further amended by adding after section 31 the following:

"SEC. 32. REPORTS TO CONGRESS.

"The Secretary shall include in the annual report submitted to the President under section 26 additional information on the construction industry as such information relates to the general subjects described in section 26, including the operation of the Office of Construction Safety, Health, and Education.

SEC. 7. FEDERAL CONSTRUCTION CONTRACTS.

The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (as amended by section 6) is further amended by adding after section 32 the following:

"SEC. 33. FEDERAL CONSTRUCTION CONTRACTS.

"Not later than 90 days after the date of the enactment of this section, the Secretary shall deliver to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate recommendations regarding legislative changes required to make the safety records (including records of compliance with Federal safety and health laws and regulations) of persons bidding for contracts subject to section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) a criterion to be considered in the awarding of such contracts.".

SEC. 8. DEFINITIONS.

Section 3 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 652) is amended by adding at the end thereof the following:

"(15) For purposes of sections 30 and 31, the following terms shall have the following meanings:

"(A) The term 'construction employer' means an employer as defined in paragraph (5) (including an employer who has no employees) who is engaged primarily in the building and construction industry or who performs construction work under a contract with a construction owner, except that a utility providing or receiving mutual assistance in the case of a natural or man-made disaster shall not be considered a construction employer.

"(B) The term 'construction owner' means a person who owns, leases or has effective control over property with or without improvements, a structure, or other improvement on real property on which construction work is being, or will be, performed.

"(C) The term 'construction project' means all construction work by one or more construction employers which is performed for a construction owner and which is described in work orders, permits, requisitions, agreements, and other project documents.

"(D) The term 'construction work' means work for construction, alteration, demolition, or repair, or any combination thereof, including painting and decorating, but does not include work performed under a contract between a construction employer and a homeowner for work on the homeowner's own residence, or routine maintenance and upkeep performed at least monthly, and such term shall include work performed under a contract between a construction employer and an agency of the United States or any State or political subdivision of a State.

"(E) The term 'construction worksite' means a site within a construction project where construction work is performed by one or more construction employers.".

SEC. 9. RELATIONSHIP TO EXISTING LAW AND REGULATIONS.

(a) IN GENERAL.—Nothing contained in the amendments made by this Act or the regulations issued to carry out the amendments shall limit the application of, or lessen, any of the requirements of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Contract Work Hours Standards Act (40 U.S.C. 327 et seq.), or the standards or regulations issued by the Secretary of Labor to carry out either such Act.

(b) PROJECT CONSTRUCTORS.—The presence and duties of a project constructor or a project safety coordinator on a project shall not in any way diminish the responsibilities of construction employers under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) for the safety and health of their employees.

ADDITIONAL COSPONSORS

S. 193

At the request of Mr. GLENN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 193, a bill to provide protections to individuals who are the human subject of research.

S. 714

At the request of Mr. AKAKA, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 714, a bill to make permanent the Native American Veteran Housing Loan Pilot Program of the Department of Veterans Affairs.

S. 801

At the request of Mr. GRAHAM, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 801, a bill to amend title 38, United States Code, to provide for improved and expedited procedures for resolving complaints of unlawful employment discrimination arising within the Department of Veterans Affairs, and for other purposes.

S. 969

At the request of Mr. D'AMATO, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 969, a bill ordering the preparation of a Government report detailing injustices suffered by Italian-Americans during World War II, and a formal acknowledgment of such injustices by the President.

S. 1008

At the request of Mr. DURBIN, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1008, a bill to amend the Internal Revenue Code of 1986 to provide that the tax incentives for alcohol used as a fuel shall be extended as part of any extension of fuel tax rates.

S. 1105

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 1105, a bill to amend the Internal Revenue Code of 1986 to provide a sound budgetary mechanism for financing health and death benefits of retired coal miners while ensuring the long-term fiscal health and solvency of such benefits, and for other purposes.

S. 1195

At the request of Mr. CHAFEE, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1195, a bill to promote the adoption of children in foster care, and for other purposes.

S. 1212

At the request of Mr. DORGAN, the names of the Senator from North Dakota [Mr. CONRAD], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 1212, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify that records of arrival or departure are not required to be collected for purposes of the automated entry-exit control system developed under 110 of such Act for Canadians who are not otherwise required to possess a visa, passport, or border crossing identification card.

S. 1213

At the request of Mr. HOLLINGS, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 1213, a bill to establish a National Ocean Council, a Commission on Ocean Policy, and for other purposes.

S. 1220

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 1220, a bill to provide a process for declassifying on an expedited basis certain documents relating to human rights abuses in Guatemala and Honduras.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. HELMS, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of Senate Concurrent Resolution 30, a concurrent resolution expressing the sense of the Congress that the Republic of China should be admitted to multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development.

SENATE CONCURRENT RESOLUTION 52

At the request of Mr. HOLLINGS, the names of the Senator from Arkansas [Mr. HUTCHINSON], the Senator from Michigan [Mr. LEVIN], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Concurrent Resolution 52, a concurrent resolution relating to maintaining the current standard behind the "Made in USA" label, in order to protect consumers and jobs in the United States.

AMENDMENTS SUBMITTED

THE BIPARTISAN CAMPAIGN REFORM ACT OF 1997

JEFFORDS AMENDMENT NO. 1304

(Ordered to lie on the table.)

Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill (S. 25) to reform the financing of Federal elections; as follows:

Strike section 501 and insert the following:

SEC. 501. REQUIREMENTS TO ENSURE EXPENDITURES OF CORPORATIONS AND EXEMPT ORGANIZATIONS FOR POLITICAL PURPOSES ARE VOLUNTARY.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following:

"(c) RESTRICTIONS ON THE REVENUES OF NATIONAL BANKS AND CORPORATIONS AND DUES OF EXEMPT ORGANIZATIONS USED FOR POLITICAL ACTIVITIES.—

"(1) IN GENERAL.—Except as provided in this subsection, it shall be unlawful—

"(A) for any national bank or corporation described in this section to use for political activities any portion of any revenues or amounts received from any shareholder or employee; or

"(B) for any organization exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (other than an organization described in section 501(c)(3) of such Code) to use for political activities any portion of any dues, initiation fee, or other payment collected or assessed from any member or nonmember of such organization.

"(2) REQUIREMENTS.—

"(A) NOTICE.—Each bank, corporation, or organization described in paragraph (1) which seeks to make any disbursements for any political activities from dues, initiation fees, or other payments shall—

"(i) provide to each individual a statement of such dues, fee, or other payment before the period to which such dues, fee, or payment applies, and

"(ii) include with each such statement a written notice which includes—

"(I) a reasonable estimate of the budget for such political activities,

"(II) a detailed itemization of all amounts disbursed for political activities in the 2 previous years,

"(III) a reasonable estimate of the dollar amount of the dues, fee, or payment which is to used for such political activities, and

"(IV) a space for the individual to check off that the individual does or does not consent to the expenditure of any portion of such dues, fee, or payment for political activities.

The period covered by any statement shall not exceed 12 months.

"(B) LIMITATION ON AMOUNT; REFUND.—A bank, corporation, or organization required to provide notice under subparagraph (A) shall—

"(i) not make disbursements for political activities for the period covered by such notice in an amount greater than the amount which bears the same ratio to the amount of such disbursements estimated in the notice as the percentage of individuals consenting to such disbursements under subparagraph (A)(ii)(III) bears to the total number of individuals making payment of such dues, fees, or other payments, and

"(ii) with respect to each individual who does not consent to such disbursements under subparagraph (A)(ii)(III), either—

"(I) not collect from the individual the percentage of the dues, fee, or other payment which was to be used for such disbursements, or

"(II) refund to the individual an amount equal to such percentage.

"(C) SPECIAL RULE.—For purposes of subparagraph (B)(i), if an individual does not provide a response under paragraph (2)(A)(ii)(IV), the individual shall be treated as not having consented to the use of any portion of such dues, fee, or payment for political activities.

"(D) AVAILABILITY OF RECORDS.—An organization required to provide notice under subparagraph (A) shall make available to any affected members and nonmembers of the organization at the organization's main office any records on which the information required under subparagraph (A) is based.

"(d) CORPORATE SHAREHOLDERS MUST CONSENT TO DISBURSEMENTS FOR POLITICAL ACTIVITIES FROM FUNDS.—

"(1) IN GENERAL.—Except as provided in this subsection, it shall be unlawful for a corporation to which this section applies to make a disbursement to fund political activities from sources not described in subsection (c).

"(2) REQUIREMENTS.—

"(A) IN GENERAL.—Any corporation described in paragraph (1) which seeks to make disbursements for political activities during any 12-month period from sources not described in subsection (c) shall, in advance of such period, transmit to each of its shareholders a written notice which includes—

"(i) a reasonable estimate of the budget for such political activities,

"(ii) a detailed itemization of all amounts disbursed for political activities for the previous 2 years,

"(iii) the method by which a shareholder may vote (at its annual meeting or by proxy in connection with the meeting) to approve or disapprove of such disbursements.

"(B) LIMITATION ON AMOUNT.—

"(i) IN GENERAL.—A corporation required to provide notice under subparagraph (A) shall not make disbursements for political activities for the period covered by such notice in an amount greater than the amount which bears the same ratio to the amount of such disbursements estimated in the notice as the percentage of shares voted at an annual meeting to approve such disbursements bears to the total number of shares voted with respect to such issue.

"(ii) SPECIAL RULE.—If a shareholder votes by proxy with respect to 1 or more issues to be considered at an annual meeting but does not vote by proxy with respect to the issue of disbursement of funds for political activities, the shareholder shall be treated as having voted to disapprove such disbursements.

"(e) POLITICAL ACTIVITIES.—For purposes of subsections (c) and (d), the term 'political activities' means communications or other activities which involve donations to, or participation or intervention in, any political campaign or political party, including—

"(1) any activity described in subparagraph (A), (B), or (C) of subsection (b)(2), and

"(2) any communication that attempts to influence legislation or public policy."

(b) DISCLOSURE OF CERTAIN EXPENDITURES.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended—

(1) in section 301(9)(B)(iii), by striking "Federal office, except" and all that follows through the semicolon and inserting "Federal office;"; and

(2) in section 316(b)(2), by inserting at the end the following flush sentence:

"Disbursements made for activities described in subparagraphs (A), (B), and (C) shall be reported to the Commission in accordance with clauses (i) and (ii) of section 304(a)(4)(A).".

(c) EFFECTIVE DATE.—This section shall take effect upon enactment of this Act.

TORRICELLI AMENDMENTS NOS. 1305–1306

(Ordered to lie on the table.)

Mr. TORRICELLI submitted two amendments intended to be proposed by him to the bill, S. 25, supra; as follows:

AMENDMENT NO. 1305

At the appropriate place in the bill, insert the following:

SEC. 302. BROADCAST MEDIA RATES FOR CANDIDATES.

Section 315(b)(1) of the Communications Act (47 U.S.C. 315(b)(1)) is amended by—

(1) striking "forty-five" and inserting "30";

(2) striking "sixty" and inserting "60";

(3) inserting "an amount not to exceed 50 percent of" before "the lowest unit"; and

(4) inserting after section 315(b)(2) the following:

"(3) In order to qualify for the broadcast media rate in section 315(b)(1), an advertisement must be at least 60 seconds in length and the candidate purchasing the ad must appear for at least 75% of the duration of the advertisement."

AMENDMENT NO. 1306

On page 53, strike lines 14 through 21 and insert the following:

SEC. 601. SEVERABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), if any provision of this Act or amendment made by this Act, or the application of any provision or amendment to any person or circumstance, is held invalid, the holding shall not affect—

(1) the other provisions of this Act and amendments made by this Act; or

(2) the application of the provisions of this Act and amendments made by this Act to other persons and circumstances.

(b) EXCEPTION.—If any part of paragraph (20) of section 301 of the Federal Election Campaign Act of 1971 (as added by section 201), or the application of any part of that paragraph to any person or circumstance, is held invalid, section 324 of the Federal Election Campaign Act of 1971 (as added by section 101) shall be of no effect.

TORRICELLI (AND JOHNSON) AMENDMENT NO. 1307

(Ordered to lie on the table.)

Mr. TORRICELLI (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by them to the bill, S. 25, supra; as follows:

At the end of the bill, add the following: "It is the sense of the Senate that if comprehensive campaign finance reform is not signed into law by the President, the President should appoint a bipartisan panel of campaign finance experts to study comprehensive campaign finance reform and propose legislation for the consideration of the 105th Congress."

TORRICELLI AMENDMENT NO. 1308

(Ordered to lie on the table.)

Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill, S. 25, supra; as follows:

At the appropriate place, insert the following:

SEC. . DISCLOSURE OF DONOR LISTS FOR CERTAIN TAX-EXEMPT ORGANIZATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following:

"( ) REQUIRED DISCLOSURE.—An organization described in section 501(c)(4) of the Internal Revenue Code of 1986 that is required to file a report under this Act with respect to independent expenditures shall include in such report the name and address of any contributor whose contributions to the organization during the calendar year and the preceding calendar year exceed $5,000. The organization does not need to disclose contributors that have been disclosed in a previous report and have not made any contributions since the last disclosure.".

JEFFORDS AMENDMENT NO. 1309

(Ordered to lie on the table.)

Mr. JEFFORDS submitted an amendment to an amendment proposed by Mr. LOTT to the bill, S. 25, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ___. REQUIREMENTS TO ENSURE EXPENDITURES OF CORPORATIONS AND EXEMPT ORGANIZATIONS FOR POLITICAL PURPOSES ARE VOLUNTARY.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following:

"(c) RESTRICTIONS ON THE REVENUES OF NATIONAL BANKS AND CORPORATIONS AND DUES OF EXEMPT ORGANIZATIONS USED FOR POLITICAL ACTIVITIES.—

"(1) IN GENERAL.—Except as provided in this subsection, it shall be unlawful—

"(A) for any national bank or corporation described in this section to use for political activities any portion of any revenues or amounts received from any shareholder or employee; or

"(B) for any organization exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (other than an organization described in section 501(c)(3) of such Code) to use for political activities any portion of any dues, initiation fee, or other payment collected or assessed from any member or nonmember of such organization.

"(2) REQUIREMENTS.—

"(A) NOTICE.—Each bank, corporation, or organization described in paragraph (1) which seeks to make any disbursements for any political activities from dues, initiation fees, or other payments shall—

"(i) provide to each individual a statement of such dues, fee, or other payment before the period to which such dues, fee, or payment applies, and

"(ii) include with each such statement a written notice which includes—

"(I) a reasonable estimate of the budget for such political activities,

"(II) a detailed itemization of all amounts disbursed for political activities in the 2 previous years,

"(III) a reasonable estimate of the dollar amount of the dues, fee, or payment which is to used for such political activities, and

"(IV) a space for the individual to check off that the individual does or does not consent to the expenditure of any portion of such dues, fee, or payment for political activities.

The period covered by any statement shall not exceed 12 months.

"(B) LIMITATION ON AMOUNT; REFUND.—A bank, corporation, or organization required to provide notice under subparagraph (A) shall—

"(i) not make disbursements for political activities for the period covered by such notice in an amount greater than the amount which bears the same ratio to the amount of such disbursements estimated in the notice as the percentage of individuals consenting to such disbursements under subparagraph (A)(ii)(III) bears to the total number of individuals making payment of such dues, fees, or other payments, and

"(ii) with respect to each individual who does not consent to such disbursements under subparagraph (A)(ii)(III), either—

"(I) not collect from the individual the percentage of the dues, fee, or other payment which was to be used for such disbursements, or

"(II) refund to the individual an amount equal to such percentage.

"(C) SPECIAL RULE.—For purposes of subparagraph (B)(i), if an individual does not provide a response under paragraph (2)(A)(ii)(IV), the individual shall be treated as not having consented to the use of any portion of such dues, fee, or payment for political activities.

"(D) AVAILABILITY OF RECORDS.—An organization required to provide notice under subparagraph (A) shall make available to any affected members and nonmembers of the organization at the organization's main office any records on which the information required under subparagraph (A) is based.

"(d) CORPORATE SHAREHOLDERS MUST CONSENT TO DISBURSEMENTS FOR POLITICAL ACTIVITIES FROM FUNDS.—

"(1) IN GENERAL.—Except as provided in this subsection, it shall be unlawful for a corporation to which this section applies to make a disbursement to fund political activities from sources not described in subsection (c).

"(2) REQUIREMENTS.—

"(A) IN GENERAL.—Any corporation described in paragraph (1) which seeks to make disbursements for political activities during any 12-month period from sources not described in subsection (c) shall, in advance of such period, transmit to each of its shareholders a written notice which includes—

"(i) a reasonable estimate of the budget for such political activities,

"(ii) a detailed itemization of all amounts disbursed for political activities for the previous 2 years,

"(iii) the method by which a shareholder may vote (at its annual meeting or by proxy in connection with the meeting) to approve or disapprove of such disbursements.

"(B) LIMITATION ON AMOUNT.—

"(i) IN GENERAL.—A corporation required to provide notice under subparagraph (A) shall not make disbursements for political

activities for the period covered by such notice in an amount greater than the amount which bears the same ratio to the amount of such disbursements estimated in the notice as the percentage of shares voted at an annual meeting to approve such disbursements bears to the total number of shares voted with respect to such issue.

"(ii) SPECIAL RULE.—If a shareholder votes by proxy with respect to 1 or more issues to be considered at an annual meeting but does not vote by proxy with respect to the issue of disbursement of funds for political activities, the shareholder shall be treated as having voted to disapprove such disbursements.

"(e) POLITICAL ACTIVITIES.—For purposes of subsections (c) and (d), the term 'political activities' means communications or other activities which involve donations to, or participation or intervention in, any political campaign or political party, including—

"(1) any activity described in subparagraph (A), (B), or (C) of subsection (b)(2), and

"(2) any communication that attempts to influence legislation or public policy."

(b) DISCLOSURE OF CERTAIN EXPENDITURES.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended—

(1) in section 301(9)(B)(iii), by striking "Federal office, except" and all that follows through the semicolon and inserting "Federal office;"; and

(2) in section 316(b)(2), by inserting at the end the following flush sentence:

"Disbursements made for activities described in subparagraphs (A), (B), and (C) shall be reported to the Commission in accordance with clauses (i) and (ii) of section 304(a)(4)(A).".

(c) EFFECTIVE DATE.—This section shall take effect upon enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, October 7, 1997, at 9 a.m. in SR-328A to consider the nominations of Ms. Sally Thompson to be Chief Financial Officer of the U.S. Department of Agriculture and Mr. Joe Dial to be Commissioner of the Commodity Futures Trading Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, October 7, 1997, at 10 a.m. on the nominations of Terry Garcia to be Assistant Secretary of NOAA and Raymond Kammer to be Director of NIST.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE AND THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS, JOINTLY

Mr. GRAMM. Mr. President, the Finance Committee Subcommittees on Social Security and Family Policy and on Health Care and the Banking Committee Subcommittee on Securities request unanimous consent to conduct a joint hearing on Tuesday, October 7, 1997, at 10 a.m. in room 215 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, October 7, 1997, at 10 a.m. and 3 p.m. to hold hearings.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GRAMM. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee Special Investigation to meet on Tuesday, October 7, at 10 a.m. for a hearing on campaign financing issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, October 7, 1997, at 10 a.m. in room 226 of the Senate Dirksen Office Building to hold a hearing on "Vindication of Property Rights: Improving Citizens' Access to Justice."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GRAMM. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Nomination of Charles Jeffress to be an Assistant Secretary of Labor [OSHA] during the session of the Senate on Tuesday, October 7, 1997, at 9:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. GRAMM. Mr. President, the Committee on Veterans' Affairs requests unanimous consent to hold a markup on the following pending legislation: S. 309, S. 464, S. 623, as amended, S. 714, as amended, S. 730, as amended, S. 801, as amended, S. 813, S. 986, as amended, S. 987, as amended, and S. 999.

The markup will be held at 3 p.m., on Tuesday, October 7, 1997, in room 418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. GRAMM. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, October 7, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2 p.m. The purpose of this hearing is to receive testimony on S. 725, a bill to direct the Secretary of the Interior to convey the Collbran Reclamation project to the Ute Water Conservancy District and the Collbran Conservancy District; S. 777, a bill to authorize the construction of the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes; H.R. 848, a bill to extend the deadline under the Federal Power Act applicable to the collection of the AuSable Hydroelectric project in New York, and for other purposes; H.R. 1184, a bill to extend the deadline under the Federal Power Act for the construction of the Bear Creek Hydroelectric project in the State of Washington, and for other purposes; H.R. 1217, a bill to extend the deadline under the Federal Power Act for the construction of a hydroelectric project in the State of Washington, and for other purposes; S. 1230, a bill to amend the Small Reclamation Projects Act of 1956 to provide for Federal cooperation in non-Federal reclamation projects and for participation by non-Federal agencies in Federal projects; and S. 841, a bill to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

HIS HOLINESS ARAM I

• Mr. ABRAHAM. Mr. President, I rise to speak of a special event which is taking place in the State of Michigan. On October 17, 1997 until October 20, 1997, the greater metropolitan Detroit Armenian community and Michigan, welcomes His Holiness Aram I, Catholicos of the Great House of Cilicia.

His Holiness has served as the spiritual leader of the Holy See of Cilicia of the Armenian Apostolic Church since 1995 and his visit to Michigan and the Armenian community is truly a blessing. Prior to his consecration as Catholicos he has served as the prelate of the Armenian community in Lebanon for 15 years. His Holiness is to be commended for his spiritual leadership not only in the Armenian Apostolic Church but also in regions of the world which face persistent unrest and violence. Through his ministry, published articles and lectures, His Holiness continues to impact lives and provide steadfast love.

The Armenian community has faced many hardships throughout its history, yet the spirit of the Armenian people and its leaders has never diminished. I am honored to recognize His Holiness

for his dedication to religious understanding and the goal of peace throughout the world. May each of us be inspired to seek greater meaning in all that we do. Again, I extend my heartfelt best wishes to His Holiness as he visits Michigan.•

COMPREHENSIVE COAL ACT REFORM ACT

• Mr. DORGAN. Mr. President, I rise today to add my name as a cosponsor of the Comprehensive Coal Act Reform Act of 1997, a bipartisan bill introduced by Senators COCHRAN and CONRAD just prior to the August recess. This bill seeks to alleviate inequities and unforeseeable hardships caused by the reachback tax provisions of the Coal Industry Health Benefit Act of 1992 [the Coal Act], while safeguarding the Combined Fund established under the Coal Act to ensure that retired mine workers get the health benefits they deserve.

As part of the Energy Policy Act of 1992, Congress passed a proposal to help protect health benefits of retired mine workers by allowing the trustees of the newly created Combined Fund to reach back and require former employers of retired coal miners to pay substantial assessments to the fund in order to finance such benefits. While its goals are laudable, this sweeping proposal contains some serious shortcomings. For one thing, it unfairly imposes excessive assessments on some companies, while under-assessing others.

Senators COCHRAN and CONRAD have worked for some time to develop a compromise bill that addresses some of the shortcomings in the Coal Act. This effort led to the introduction of the Comprehensive Coal Act Reform Act of 1997, S. 1105, which I think makes a number of needed changes. I applaud efforts of these Senators to find a workable and fair solution to the reachback problem. And I've added my name as a cosponsor of S. 1105 because I support the primary thrust and goals of this bill.

I do not know if the formula adopted in S. 1105 perfectly resolves the problems created by the Coal Act. Some companies will probably continue to argue that they are paying too much and that others are paying too little into the Combined Fund. Retired mine workers will undoubtedly be concerned by any bill modifying the Coal Act until it's shown that the proposal causes no harm to them.

Finally, let me be very clear about one point. My cosponsorship of this bill should not be construed by anyone as a weakening of my support for retired mine workers and their families. They worked tirelessly in their jobs—often at substantial risk to their personal health and safety—to help meet the energy needs of this country. They are entitled to retirement benefits earned for their dedicated years of service. Any corrective action we take in Congress must ultimately be consistent with this obligation.•

THE 100TH ANNIVERSARY OF MIDDLETOWN HIGH SCHOOL FOOTBALL

• Mr. D'AMATO. Mr. President, as you may be aware, the 1997 season marks the 100th team to play football for Middletown High School.

During these 100 years, Middletown football teams have been coached by Messrs. Bright, Massee, Sjellander, Cady, Spaulding, Greason, Southwell, Sundstrom, Downing, Springman, Goes, Sampson, Hughes, Finch, Bateman, Rodiak, Nania, Whitehead, Brunner, Wolslayer, Ryder, and Scali.

Asylum, Hayes, Wilson, and Faller are the football fields where the Middletown High School teams have played their games during the past century.

For the past 100 years, Middletown football teams have embraced the spirit of competition and have established a winning tradition.

Counted among former MHS football players are elected officials, teachers, doctors, coaches, construction workers, lawyers, businessmen, and members of the military who continue to make positive contributions to their community.

For the past 100 years, the "Middies" have been supported by the board of education, government, civic and fraternal organizations, and the greater Middletown community.

For these reasons, we ask that you give pause.•

RECOGNIZING THE AMERICAN ASSOCIATION OF MENTAL RETARDATION ILLINOIS CHAPTER'S 1997 DIRECT SERVICE PROFESSIONAL HONOREES

• Ms. MOSELEY-BRAUN. Mr. President, it is my distinct pleasure to join the Illinois Chapter of the American Association of Mental Retardation in honoring the recipients of the 1997 Direct Service Professional Award. These honorees are being recognized for their outstanding commitment and contributions to the lives of people in Illinois with developmental disabilities.

These award winners have distinguished themselves through their compassion, dedication, patience, and professionalism. Their work not only enriches the lives of those who they care for, but also enriches all of our lives and sets an example of service for all Americans to follow.

It is indeed my privilege to recognize and celebrate the achievements of the following Illinois direct service professionals: Sunshyne Albers, Angie Berquist, Amy Birdett, Kathy Bouras, Barbara Eakin, Janet Hayes, Bertha Hernandez, Donna Johnson, Marcella Jones, Gertrude Kilpatrick, Thurman McGee, Rosalyn Moore, Charlotte Morrison, Gary Perkins, Larry Pullums, Carolyn Racki, Crystal Rapp, Dolores Sollenberger, Ellis "Steve" Stephens, Viparwon Thongchai, Lisa Vito, Cassandra Wilkins, and Larry Yaus.

I take this opportunity to join the Illinois Chapter of the American Association of Mental Retardation in saluting the winners of the 1997 Direct Service Professional Award. It is my honor to serve them in the U.S. Senate.•

HUMANITARIAN RELIEF IN IRAQ

• Mr. ABRAHAM. Mr. President, I stand before you today to speak of a situation which is of great concern. As Iraqi children returned to school last week, they began another year under difficult circumstances. For 7 years, the innocent children and citizens of Iraq have endured hardships and suffering which are immeasurable for many in this country. Economic sanctions imposed upon the country of Iraq by the United Nations were never intended to deprive the Iraqi people of the necessities of life. While some relief has occurred I believe that much more must be done.

Yet, the situation in Iraq is grim. According to the United Nations Food And Agriculture Organization [FAO], the Iraqi children are perhaps the most vulnerable and hardest hit. More than 600,000 children have died and it is estimated that 4,500 children are dying each month from problems related to malnutrition and shortages of medical supplies. While the sanctions continue, the regime prospers. It is time for the citizens and leaders of our country to continue to provide humanitarian aid to the most innocent of Iraq.

The United States Department of State has not objected to the issuance of licenses to United States organizations and individuals donating food, medicine, and other materials for essential civilian needs in Iraq. I am pleased that my office was able to assist the International Relief Association [IRA] based out of St. Clair Shores, MI, in obtaining a license to provide much needed supplies to the children and elderly of Iraq. I believe that it is essential to continue to seek out organizations and individuals who wish to assist in bringing further humanitarian relief to Iraq and to help them in obtaining the proper licenses to do so. Let it be known, that I encourage my colleagues to invoke the spirit of American humanitarianism and for each of them to examine the simple fact that aid must continue in this region of the world. I commend each organization and individual who has assisted in providing relief to the people of Iraq. May each of us be reminded that political and economic sanctions should not affect the lives of those who innocently suffer.•

SUSAN LANDON

• Mr. BINGAMAN. Mr. President, I rise today to express my deep sorrow about the death of Susan Landon on September 28, 1997. Ms. Landon, a citizen of New Mexico and resident of the city of Albuquerque, graduated from the University of New Mexico. She went on to fulfill a rich and varied career writing for the Albuquerque Journal. I have become familiar with Susan's work, as she reported on a range of issues spanning much of the breadth of contemporary New Mexico life.

Ms. Landon worked as the youth page editor, and as a reporter for general assignments, education, and State news. She began writing for the Journal's editorial page in 1992, and continued to do so until a few weeks before her death. Susan excelled in her assignments, winning numerous city, State, and national journalism awards. She found particular satisfaction through her work covering various Native American issues, and was thanked publicly by the president of the Navajo Nation for the sensitivity and understanding which was reflected in her writings.

I would like to quote from an article written by Jim Belshaw, a friend and colleague of Susan, in which he said "Susan Landon was smart and fair and irreverent and compassionate and tough; she was a native New Mexican who knew and loved the State and its people. She had an unerring ability to cut through rhetoric and get to the heart of a matter, regardless of its camouflage."

Mr. President, I ask today that the full text of Mr. Belshaw's article be printed in the RECORD, as it provides a unique perspective on the life of this dedicated individual whom New Mexico will miss very much.

The article follows:

PRIZED REPORTER SHARED HER GIFT WITH N.M.

(By Jim Belshaw)

Susan Landon, my friend and colleague of 20 years, died Sunday. She was 47 years old. She left a gift—a photograph!

At first, I believed the photograph spoke only to those of us who toil in journalistic fields. But I was mistaken as well as myopic. The photograph's message, clear and sharp as a New Mexico autumn, is meant not just for the people who worked at Susan's side all these years but for anybody who cares to embrace it.

The black-and-white photo shows a young newspaper reporter on the job. She stands in muddy, ankle-deep flood water. She writes in a notebook while the man whose name and words will appear in the next morning's newspaper leans on the shovel he has been using to fling muck out of his flooded home.

"Look who shot this," Susan said the first time she showed me the picture.

Stamped on the back of the print was the name of the Journal photographer—Jim Nachtwey, a mutual friend who has gone on to renown as one of the world's foremost photojournalists.

The picture is dated June 15, 1977; a handwritten note on the back of the photo describes the scene's circumstances.

"My mother wrote this," Susan said, smiling at the singular pride only a mother can have in a child.

"Famous Journal Reporter," the note's formal title announces. "Susan Landon with David Starkey—covering story when irrigation ditch wall broke in South Valley, flooding 4 homes."

I don't remember how long it's been since that first time she showed me the photograph. After that conversation, I never said anything more about it, though I thought of it often because its message was so clear and irrefutable.

Then one day a few weeks ago, after it became clear that she would lose the fight against the cancer that attacked her, Susan handed me the picture and said, "I want you to have this."

Susan Landon was smart and fair and irreverent and compassionate and tough—all the things a reporter should be.

She was a native New Mexican who knew and loved the state and its people. She had an unerring ability to cut through rhetoric and get to the heart of a matter, regardless of its camouflage.

She was painfully shy and militantly private, but she never backed away from the demands of the job. At her core lay a righteous anger, a philosophic pilot light ready to ignite when confronted with inequity; the flame burned especially hot when she encountered a bully abusing power.

She spent the final years of her newspaper career as an editorial writer, but when she spoke of what she missed most it had nothing to do with the inside of the building.

"I miss the reservation," she once said, looking back to the years she covered the Navajo Nation. "I miss being out there talking to the people. I miss writing about them. It was the best time for me."

When she gave me the photograph, it occurred to me that it should be made into a poster and pinned up on the bulletin boards of journalism schools all over the country. It is a clean, pure image of what this job is supposed to be.

Each time I looked at it. I thought about the peripheral circus that follows us these days: Seminars and focus groups and dazzling graphics and endless analysis; the Internet and Web pages and cyberspace prophets issuing incessant revelations predicting the printed world's imminent doom.

Then I look again at Susan's photograph and I am reminded of what the job is supposed to be—any job, not just ours. The photograph transcends journalism, its simple eloquence unable to be contained within the confines of a single endeavor.

This image of Susan with her pen and note pad is the image of a woman doing the job with no complaints, no excuses, no sleight of hand, no gimmicks.

It speaks to anyone engaged in any undertaking. It says the only thing that really counts is getting the job done. Anything else is just an excuse and deep in our hearts we all know it.

My dear friend, Susan, has died and left a gift that at first glance seems to be a photograph but is much more. Susan left us a compass. It points to true north.•

CHALDEAN FEDERATION OF AMERICA DINNER

• Mr. ABRAHAM. Mr. President, I rise today to acknowledge an important event which is taking place in the State of Michigan. On this day, October 14, 1997, many have gathered to celebrate the Chaldean Federation of America's fifth annual dinner and awards banquet. Each of the individuals in attendance deserve special recognition for their commitment and steadfast support of the Chaldean community.

I am pleased to recognize the recipients of tonight's awards: Dr. Nathima Atchoo—Humanitarian Award, Mayor Gerald Naftaly—Civic Humanitarian Award, Hayat Jajonie and Salim Sarafa—Community Service Awards, Janan Senawi—Volunteer Recognition Award, Ismael Ahmed and Sargon Lewie—CFA President's Award, Isam Yaldo—Business/Community Award, and Deacon Sadik Barno—Cultural Award. Each of these recipients should take great pride in receiving these distinguished awards.

While it is important to pay special tribute to the awardees, it is also essential to honor each citizen of the Chaldean community. In many respects, the Chaldean community of Michigan is a true example of a thriving community. Through strong economic growth, inspiring leaders, and unwavering dedication, the State of Michigan has greatly benefited from Chaldean-Americans. One such organization that has exemplified the spirit of the Chaldean community is the International Relief Association.

The International Relief Association [IRA] continues to assist in supplying humanitarian relief to the children of Iraq. This association which is based in St. Louis Clair Shores, MI, has been a tireless advocate for the innocent individuals which have been so deeply affected by the trade embargo imposed on Iraq since 1990. According to the United Nations International Children's Education Fund, it is estimated that some 4,500 children are dying each month from malnutrition and the shortage of much-needed supplies. I commend the IRA for its active participation in the lives of the people of Iraq.

While the IRA continues to help to support the people of Iraq, I believe that each of us must examine what role we can play. It is essential that collectively we begin to raise awareness concerning this region of the world. Again, I am deeply honored to lend my support to the work of the IRA and to the countless individuals whose own private efforts often go unnoticed.

To the Chaldean-American community and to the awardees, I send my sincere best wishes and may the spirit of this evening continue to inspire each of you.•

TRIBUTE TO THE ST. THOMAS AQUINAS SCHOOL

• Mr. SMITH of New Hampshire. Mr. President I rise today to honor the St. Thomas Aquinas School in Drew, NH, for receiving the State Champion

Award for the President's Challenge on Physical Fitness.

The State Champion Award is presented to schools with the highest number of students scoring at or above the 85th percentile on the President's Challenge.

The five assessments of the President's Challenge measure four components of physical fitness: a 1-mile run/walk for heart and lung endurance, curl-ups for abdominal strength and endurance, a "sit and reach" stretch for muscular flexibility, pull-ups for upper body strength and endurance, and a shuttle run for agility.

St. Thomas Aquinas is a private Catholic school filled with 300 students in grades kindergarten through 8.

Excelling in physical fitness is a positive step toward making healthy lifestyle choices that will provide lifelong benefits. I am very proud of the students at St. Thomas Aquinas for their accomplishments and applaud the efforts and dedication of the school.•

THE FIFTH ANNUAL AMERICAN ARAB CHAMBER OF COMMERCE BANQUET

• Mr. ABRAHAM. Mr. President, today I rise to extend my best wishes for the American Arab Chamber of Commerce-Michigan's annual banquet on October 19. The American Arab Chamber of Commerce-Michigan will again hold this yearly event which recognizes individuals and their contributions in helping to promote a strong Michigan economy.

This year's banquet is an especially notable event. October 19 marks the fifth year for the chamber of commerce's banquet. While this is worthy of note, I am especially honored to have the opportunity to welcome His Royal Highness Crown Prince El-Hassan bin Talal of the Hashemite Kingdom of Jordan to Detroit. Attending the event with His Royal Highness will be several members of the Jordanian Cabinet and His Exellency Dr. Marwan Muasher, Ambassador to the United States. The participation of Crown Prince Hassan and the other Jordanian emissaries affords everyone the opportunity to learn of new business and cultural possibilities between Michigan and Jordan. Furthermore, as the keynote speaker, Crown Prince Hassan will provide valuable insight for the American Arab Chamber of Commerce-Michigan on the trade relationship between the United States and Jordan.

I am proud of the Arab-American community's continual efforts to foster relationships of goodwill. These efforts will go far in enhancing and promoting the community's image and understanding throughout the United States and beyond.

We can all be proud of these efforts. I also take pride in the American-Arab Chamber of Commerce's efforts to include the entire spectrum of businesses in Michigan. Members of the chamber of commerce range in size from small entrepreneurial companies to large international corporations, with every individual committed to promoting Michigan's economic vitality. This vibrant community adds a great deal to Michigan, and I am very pleased to have the opportunity to recognize the chamber's efforts.•

BUDGET SCORING OF THE CONFERENCE AGREEMENT ON H.R. 2378

• Mr. DOMENICI. Mr. President, I rise in support of the conference agreement on H.R. 2378, the Treasury and general Government appropriations bill for fiscal year 1998.

This bill provides new budget authority of $25.4 billion and new outlays of $22.5 billion to finance operations of the Department of the Treasury, including the Internal Revenue Service, U.S. Customs Service, Bureau of Alcohol, Tobacco, and Firearms, and the Financial Management Service; as well as the Executive Office of the President, the Office of Personnel Management, the General Services Administration, and other agencies that perform central Government functions.

I congratulate the chairman and ranking member for producing a bill that is within the subcommittee's 302(b) allocation and generally consistent with the bipartisan balanced budget agreement. I also commend the chairman for his strong support of law enforcement, including the Federal Law Enforcement Training Center.

When outlays from prior-year BA and other adjustments are taken into account, the bill totals $25.4 billion in BA and $25.2 billion in outlays. The total bill is $2 million below the Senate subcommittee's 302(b) nondefense discretionary allocation for budget authority and outlays. The bill is at the subcommittee's violent crime trust fund allocation for BA and under its allocation for outlays by $8 million.

Mr. President, I ask to have printed in the RECORD a table displaying the Budget Committee scoring of the conference agreement on H.R. 2378.

The table follows:

H.R. 2378, TREASURY-POSTAL APPROPRIATIONS, 1998, SPENDING COMPARISONS—CONFERENCE REPORT

[Fiscal Year 1998, $ millions]

	Defense	Non-defense	Crime	Mandatory	Total
Conference report:					
Budget authority		12,604	131	12,713	25,448
Outlays		12,377	118	12,712	25,207
Senate 302(b) allocation:					
Budget authority		12,606	131	12,713	25,450
Outlays		12,379	126	12,712	25,217
President's request:					
Budget authority		12,960	118	12,713	25,791
Outlays		12,495	105	12,712	25,312
House-passed bill:					
Budget authority		12,401	97	12,713	25,211
Outlays		12,170	94	12,712	24,976
Senate-passed bill:					
Budget authority		12,466	131	12,713	25,310
Outlays		12,268	112	12,712	25,092
CONFERENCE REPORT COMPARED TO:					
Senate 302(b) allocation:					
Budget authority		−2			−2
Outlays		−2	−8		−10
President's request:					
Budget authority		−356	13		−343
Outlays		−118	13		−105
House-passed bill:					
Budget authority		203	34		237
Outlays		207	24		231
Senate-passed bill:					
Budget authority		138			138
Outlays		109	6		115

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.•

FOCUS:HOPE'S "WALK 1997"

• Mr. ABRAHAM. Mr. President, I rise today to pay homage to an organization which is working to help create a better America. On Sunday, October 12, Focus:HOPE will hold its annual walk. This walk raises awareness of the community's needs and reaffirms Focus:HOPE's commitment to metropolitan Detroit.

This year has been very challenging for Focus:HOPE. The organization was struck by a terrible tragedy: the loss of Father Cunningham. His passing was a blow to not only the program he founded, but to the entire Detroit community. The dedication and vigor with which he pursued his goal of creating an environment where all people live in harmony was unsurpassed; his optimism and belief in Detroit was overwhelming; faced with the task before him, his spirit remained undaunted. Truly, he was one man who made a difference. This year Focus:HOPE's spirit was shaken and so too were its foundations. Earlier this year, storms swept through metropolitan Detroit, ravaging the area. A tornado sped through the city and left Focus:HOPE's facilities severely damaged in its wake.

Now, Focus:HOPE is rebuilding. Although a great part of Focus:HOPE is gone, Father Cunningham's vision lives on. The many volunteers and supporters walking this year represent a renewed commitment. Sunday will be an occasion for the organization to rededicate itself to helping provide every needy individual with the means to succeed. Over the years, Focus:HOPE has flourished and grown into a shining example of what can be accomplished through dedication and hard work. As much as this occasion is a reflection on the past, it is more appropriately a time to contemplate what the future may hold. The 21st century is drawing near and Focus:HOPE'stands ready to meet all challenges head-on. I am confident this year's walk will inspire people to follow Father Cunningham's lead and help make the city of Detroit, the State of Michigan, and the entire Nation a better place.•

DISTRICT OF COLUMBIA APPROPRIATIONS ACT

Mr. LOTT. Mr. President, in view of the agreement and the effort that has been made by Senator MACK, Senator GRAMM of Texas, and Senator GRAHAM of Florida, they understand they have perhaps worked this issue out but they want to actually get it written up, and they will have it available tomorrow morning. So we believe we can complete action on the District of Columbia appropriations bill tomorrow.

There will be no further votes this evening. The next vote will occur at approximately 12 noon on Wednesday.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAMPAIGN FINANCE REFORM

Mr. FAIRCLOTH. Mr. President, there is in this country a need for campaign reform. Something could well be done but the approach from the Clinton-Gore administration is in no way a sincere effort. It is a gossamer facade at reform. In reality, it is nothing more than an attempt to divert people's attention from the flagrant abuses of the campaign finance laws already on the books—laws they have broken on a regular basis.

It takes absolute unmitigated gall for President Clinton and Vice President GORE to talk about campaign finance reform when they cannot and have not obeyed the existing laws. For the President and Vice President to be talking about campaign finance reform, it would be similar to Jesse James leading a crusade for stricter bank robbery laws. They both remind me of two people that have stolen your horses and go flying down the road by your house saying "lock your barn, lock your barn." They have gotten the horses and gone.

The truth is that this is a first step in a liberal effort to get the American taxpayer to pay for political campaigns. It would be a massive mistake to take the electoral process away from the private sector and turn it into another Federal Government bureaucracy. And that is exactly what this bill would do. What they are hoping to do is to make campaigns a public bureaucracy paid for by the taxpayers whether they want to or not. When they talk about campaign finance reform, there is one thing they have in mind: Getting their hands into the public till to pay for their political campaigns.

If you want to see how well public financing works, you can just look at the 1996 Presidential campaign. Have you ever seen a more flagrant disregard for the laws of this country than happened in that? President Clinton and Vice President GORE didn't need to raise money from Buddhist monks, Asian temples, international arms dealers, and the Chinese Government because their general election campaign was already paid for by the American taxpayers. But, no, they were so greedy they had to go everywhere and hunt every illegal contribution they could find.

They wonder why fewer and fewer Americans are checking off the contribution box for the President's election fund on their tax forms. Why check it off? Simply make a trip to the Buddhist temple and fund your own campaign.

The private sector works. If people want to support a candidate with their contributions, they will. But don't force the taxpayers to fund the ideological campaigns of candidates they don't support. And that is exactly where we are heading.

Mr. President, as I said, there is a need for campaign finance reform. I have supported several specific items which I believe could help bring some balance to the system. Indexing contributions would be one. Another is to make sure that workers have an option whether they want to support the union political activities or not. One of the most important things is to protect their paycheck. We need faster and fuller disclosure of contributions, and if we really wanted to do something for campaign finance reform we could go with term limits, if we were really serious about controlling it.

Most importantly, politicians should start obeying the campaign finance laws that are already on the books. Why should we start passing more reform laws when in the past campaign we saw the President and the Vice President break the ones that were there day in and day out. And I am tired of the "everybody did it" excuse that we are hearing out of this administration. Even if that were true, it is time for the President to muster the intestinal fortitude on his own and stop doing it. There is no excuse for him to do it because somebody—they were saying this morning in the hearing—20 years ago did it. He should be responsible for himself.

It is already illegal to accept contributions from foreign countries. Why do we not enforce the existing law rather than going for new ones? Mr. President, we need real campaign finance reform but spare us the moral outrage coming from President Clinton and Vice President GORE. We have enough cynicism in politics as it is now. It is time to end it. It is time for the President and Vice President to take responsibility for their personal actions.

Mr. President, I thank you and I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, OCTOBER 8, 1997

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that when the

Senate completes its business for the day, it stand in adjournment until the hour of 11 a.m. on Wednesday, October 8. I further ask that on Wednesday, immediately following the morning prayer, the routine requests through the morning hour be granted and the hour prior to the cloture vote on S. 25 be equally divided in the usual form and the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FAIRCLOTH. Tomorrow, at 11 a.m., the Senate will begin debate on the motion to invoke cloture on S. 25, the McCain-Feingold finance reform bill. Therefore, the cloture vote will occur at 12 noon tomorrow with the mandatory quorum being waived. Assuming cloture is not invoked, the Senate will then move to proceed to S. 1173, the so-called ISTEA legislation. Hopefully, the Senate will be able to make good progress on that legislation with votes occurring Wednesday afternoon on the ISTEA bill. As previously announced, the Senate may also consider any appropriate conference reports that may be available.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. FAIRCLOTH. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:08 p.m., adjourned until Wednesday, October 8, 1997, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate October 7, 1997:

IN THE COAST GUARD

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. COAST GUARD UDNER TITLE 14 UNITED STATES CODE, SECTION 271:

To be lieutenant commander

THOMAS FLORA, x...
ALFREDO T. SORIANO, x...
WILLIAM E. THOMPSON,
ALLEN B. CLEVELAND, x...
TIMOTHY M. FITZPATRICK, x...
MICHAEL J. KELLY, x...
PETER W. SEAMAN, x...
WILLIAM P. GREEN, x...
JOHN R. TURLEY, x...
MARKUS D. DAUSSES, x...
JOHN L. BRAGAW, x...
GLENN L. GEBELLE, x...
MICHAEL S. SABELLICO, x...
LAURA H. O'HARE, x...
SUSAN K. VUKOVICH, x...
CRAIG O. FOWLER, x...
DANIEL S. CRAMER, x...
JOHN J. METCALF, x...
STEVEN J. REYNOLDS, x...
SEAN M. MAHONEY, x...
KEVIN J. MCKENNA, x...
CHRISTOPHER E. ALEXANDER, x...
JAMES W. SEBASTIAN, x...
HAN KIM, x...
PHYLLIS E. BLANTON, x...
ANDREW C. PALMIOTTO, x...
MATTHEW K. CREELMAN, x...
CALEB CORSON, x...
MARCH H. NGUYEN, x...
CYNTHIA L. STOWE, x...
CHARLES JENNINGS, x...
MARY J. SOHLBERG, x...
JOHN F. MALONEY, x...
CRAIG T. HOSKINS, x...
JAMES P. MCLEOD, x...
RAYMOND D. HUNT, x...
KENNETH V. FORDHAM, x...
JON S. KELLAMS, x...
KEITH M. SMITH, x...
DONNA L. COTTRELL, x...
JAMES W. CROWE, x...
PETER D. CONLEY, x...
KELLY L. KACHELE, x...
SCOTT A. BUTTRICK, x...
JANET R. FLOREY, x...
MELISSA A. BULKLEY, x...
JAMES H. WHITEHEAD, x...
WILLIAM R. KELLY, x...
JASON LYUKE, x...
JOHN M. DANAHER, x...
JOHN E. BORIS, x...
MARK D. BERKELEY, x...
RICHARD A. SANDOVAL, x...
CHARLES M. GREENE, x...
BRIAN P. HALL, x...
ERIC P. CHRISTENSEN, x...
RONALD J. HAAS, x...
MARK D. WALLACE, x...
MATTHEW C. STANLEY, x...
FRANK G. DELEON, x...
ROD D. LUBASKY, x...
DARCY D. GUYANT, x...
PERRY S. HUEY, x...
DONALD F. POTTER, x...
KEVIN M. BALDERSON, x...
PATRICK FLYNN, x...
WAYNE A. STACEY, x...
PATRICK G. MCLAUGHLIN, x...
WAYNE C. CONNER, x...
JEFFREY S. PHELPS, x...
MICHAEL G. BLOOM, x...
ROGER D. MASON, x...
MICHAEL W. DUGGAN, x...
BRUCE E. GRAHAM, x...
LAMBERTO D. SAZON, x...
HENRY D. KOCEVAR, x...
BRUCE D. HENSON, x...
SEAN A. MCBREARTY, x...
ROBERT C. WILSON, x...
GARY L. BRUCE, x...
JIM L. MUNRO, x...
KEVIN P. FROST, x...
ROBERT D. KIRK, x...
WILLIAM L. STINEHOUR, x...
SCOTT B. VARCO, x...
DAWAYNE R. PENBERTHY, x...
KEITH R. BILLS, x...
RICHARD K. WOOLFORD, x...
TIMOTHY A. ORNER, x...
DOUGLAS M. GORDON, x...
JAMES D. JENKINS, x...
LARRY D. BOWLING, x...
DREW J. TROUSDELL, x...
SCOTT W. BORNEMANN, x...
PAUL A. TITCOMBE, x...
WILLIAM M. DRELLING, x...
KRISTIN A. WILLIAMS, x...
JOHN E. HURST, x...
KEVIN D. CAMP, x...
STEVEN W. POORE, x...
ARTHUR R. THOMAS, x...
THOMAS E. CAFFERTY, x...
JEFFREY A. REEVES, x...
RONALD L. HENSEL, x...
MARC P. LEBEAU, x...
BARRY O. ARNOLD, x...
SAMUEL SHORT, x...
GARY E. BRACKEN, x...
DAVID C. HARATT, x...
RICHARD T. GATLIN, x...
JOSEPH P. KELLY, x...
ERIC V. WALTERS, x...
COREY J. JONES, x...
MICHAEL J. BOSLEY, x...
ROGER R. LAFERRIERE, x...
JOHN G. KEETON, x...
ROBERT S. YOUNG, x...
JOHN J. DOLAN, x...
ALAN W. CARVER, x...
LEONARD C. GREIG, x...
DAVID A. WALKER, x...
DAVID L. HARTLEY, x...
MICHAEL A. MEGAN, x...
WILLIAM J. BOEH, x...
STEWART M. DIETRICK, x...
THOMAS TARDIBUONO, x...
JOHN E. SOUZA, x...
TIMOTHY J. HEITSCH, x...
JULIE A. GAHN, x...
DONALD E. CULKIN, x...
BYRON L. BLACK, x...
JAMES E. HANZALIK, x...
KURT A. SEBASTIAN, x...
GREGORY J. SANIAL, x...
FRANK R. PARKER, x...
JOHN A. HEALY, x...
TINA L. BURKE, x...
JOHN D. WOOD, x...
JAN M. JOHNSON, x...
TIMOTHY G. STUEVE, x...
KEITH A. RUSSELL, x...
JOHN F. MORIARTY, x...
MICHAEL P. RYAN, x...
JOHN B. SULLIVAN, x...
LARRY R. KENNEDY, x...
ROBERT P. HAYES, x...
STUART L. LEBRUSKA, x...
CHRISTOPHER J. MEADE, x...
CHARLES A. RICHARDS, x...
DONALD JILLSON, x...
CHARLES E. RAWSON, x...
JANET E. STEVENS, x...
CHRISTOPHER D. NICHOLS, x...
JOEL D. SLOTTEN, x...
DOMINIC DIBARI, x...
STEPHEN P. CZERWONKA, x...
KURT C. OBRIEN, x...
ROBERT T. MCCARTHY, x...
KEVIN P. FREEMAN, x...
JOEL D. DOLBECK, x...
RICHARD D. FONTANA, x...
SEAN M. BURKE, x...
EDGARS A. AUZENBERGS, x...
JOEL D. MAGNUSSEN, x...
MICHAEL J. LOPEZ, x...
THOMAS F. RYAN, x...
ALAN N. ARSENAULT, x...
PETER N. DECOLA, x...
THOMAS G. NELSON, x...
JAMES CARLSON, x...
PHILIP J. SKOWRONEK, x...
PAT DEQUATTRO, x...
DAVID M. DERMANELIAN, x...
AUSTIN J. GOULD, x...
STEPHEN M. SABELLICO, x...
ANDY J. FORDHAM, x...
SCOTT D. PISEL, x...
LAURENCE J. PREVOST, x...
JOSEPH M. PESCI, x...
CHARLES L. CASHIN, x...
JESSE K. MOORE, x...
GLENN M. SULMASY, x...
MATTHEW J. ZAMARY, x...
ANTHONY S. LLOYD, x...
KIRK A. BARTNIK, x...
WILLIAM J. WOLTER, x...
FRANCIS E. GENCO, x...
DAVID P. CROWLEY, x...
JOSEPH F. HESTER, x...
JOHN C. RENDON, x...
CHARLES S. CAMP, x...
WILLIAM R. MEESE, x...
MICHAEL P. CAROSOTTO, x...
STEVEN A. BANKS, x...
JOSEPH E. MANJONE, x...
TIMOTHY F. PETTEK, x...
KEITH T. WHITEMAN, x...
JAMES E. SCHEYE, x...
JOSEPH E. BALDA, x...
JAMES R. OLIVE, x...
JAMES TABOR, x...
GARY A. CHARBONNEAU, x...
EDWARD J. CUBANSKI, x...
ERIC G. JOHNSON, x...
PATRICK J. MCGUIRE, x...
BRADFORD CLARK, x...
JOSEPH J. LOSCIUTO, x...
VICTORIA A. HUYCK, x...
ROMUALDO DOMINGO, x...
CAMERON T. NARON, x...
JASON A. FOSDICK, x...
ADAM J. SHAW, x...
IAN LIU, x...
PATRICK FOLEY, x...
BASIL F. BROWN, x...
GEORGE M. ZEITLER, x...
CHRISTIAN J. HERZBERGER, x...
ROBERT F. OLSON, x...
MICHAEL Z. ERNESTO, x...
MITCHELL C. EKSTROM, x...
MICHAEL D. CALLAHAN, x...
ROBERT E. STYRON, x...
DOUGLAS M. RUHDE, x...
DARWYN A. WILMOTH, x...
STEVEN M. SHERIDAN, x...
JAMES B. NICHOLSON, x...
JOSEPH L. DUFFY, x...
ROBERT A. LAAHS, x...
CEDRIC A. HUGHES, x...
CARMEN T. LAPKIEWICZ, x...
GLENA T. SANCHEZ, x...
RODERICK D. DAVIS, x...
BRIAN K. GOVE, x...
RUSSELL C. PROCTOR, x...
GERARDO MORGAN, x...
DAVID S. FISH, x...
KEVIN C. BURKE, x...
MICHAEL A. JENDROSSEK, x...

TONY C. CLARK, X...
ROBERT D. PHILLIPS, X...
STEVEN R. SATOR, X...
THEODORE R. SALMON, X...
JASON L. TENGAN, X...
MARK S. RYAN, X...
ROBERT J. GREVE, X...
PETER M. KILFOYLE, X...
BRIAN K. MOORE, X...
WILLIAM F. ADICKES, X...
MARK J. WILBERT, X...
THURMAN T. MAINE, X...
CRAIG A. PETERSEN, X...
ROBERT I. GRIFFIN, X...
DONALD R. LING, X...
JEFFREY S. HUDKINS, X...
MARK J. GANDOLFO, X...
DIRK A. GREENE, X...
DAVID J. ROKES, X...
TODD A. TSCHANNEN, X...
MICHAEL R. OLSON, X...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE U.S. ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) IN THE MEDICAL CORPS UNDER TITLE 10, UNITED STATES CODE, SECTIONS 624, 628, 531, AND 3064:

To be lieutenant colonel

REED S. CHRISTENSEN, X...
*THADDEUS J. KROLICKI, X...
*ROBERT W. WILKESON, X...

To be major

RAMCHANDRA J. LAHORI, X...
STEPHEN C. LEE, X...
JAMES E. RAGAN, X...

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. ARMY AND FOR REGULAR ARMY APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, UNITED STATES CODE, SECTIONS 624, 628, AND 531:

To be major

PERRY W. BLACKBURN, JR., X...
*PAUL A. WHITTINGSLOW, X...

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. MARINE CORPS UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be lieutenant colonel

PAUL D. MCGRAW, X...

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, UNITED STATES CODE, SECTION 531 (IDENTIFIED WITH AN ASTERISK) AND X...:

To be lieutenant

*FREDERICK BRASWELL, X...
*KENNETH S. LANE, X...
EDWIN A. THARPE, X...

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be lieutenant commander

LEIGH P. ACKART, X...
GILBERTO ACOSTA, X...
SALVADOR AGUILERA, X...
MICHAEL T. AKIN, X...
PAUL M. ALEXANDER, X...
DANIEL L. ALLEN, X...
JENNIFER M. ALLEN, X...
KATHRYN A. ALLEN, X...
STEVEN E. ALLEN, X...
DAVID C. ALLISON, X...
LOUIS AMBLARD, X...
PAMELA K. AMBROZ, X...
KARLYNA L. D. ANDERSEN, X...
JAMES J. ANDERSON, X...
THERESA M. ANTOLDI, X...
JOEL M. APIDES, X...
JULIA J. ARCHER, X...
MARC E. A. ARENA, X...
ELLEN A. ARGO, X...
JAMES B. ARON, X...
DALE A. BAKER, X...
RANDY L. BALDWIN, X...
MARILOU P. BARKER, X...
CHRISTOPHER P. BARNES, X...
TIMOTHY D. BARNES, X...
STEVEN M. BARNEY, X...
BENJAMIN J. BARROW, X...
MICHAEL M. BATES, X...
THOMAS E. BATES, X...
KRISTEN M. BATTAGLIA, X...
LAWRENCE L. BATZLOFF, X...
WILLIAM P. BAUGH, X...
LYNN L. BEACH, X...
LUNDY BEARD, X...
JAMES G. BEASLEY, X...
MARGARET S. BEAUBIEN, X...
THOMAS BECKMAN, X...
BORIS S. BELCHOFF, X...
BRYAN L. BELL, X...
DARL V. BELL, X...
THERESA A. BELL, X...
JOHN L. BENDER, X...
JOSEPH A. BERNETSKI, X...
SCOTT A. BERNOTAS, X...
JON BERRY, X...
BRUCE A. BETTS, X...
WALTER S. BEW, X...
MANUEL A. BIADOG, X...
SEAN BIGGERSTAFF, X...
JOSEPH B. BLACKBURN, X...
TAMMY BLANKENSHIP, X...
BARRY R. BLANKFIELD, X...
ALISA J. BLITZSEIBERT, X...
ELDON G. BLOCH, X...
ANGELA J. H. BOATMAN, X...
SUSAN K. BOBO, X...
PATRICK H. BONDAD, X...
SIDNEY L. BOURGEOIS, X...
MARK J. BOURNE, X...
BRENDA F. BRADLEY, X...
DENA A. BRADLEY, X...
JIMMY A. BRADLEY, X...
ROBERT R. BRASWELL, X...
DENISE BREAULT, X...
KEVIN M. BREW, X...
KENNETH J. BROOMER, X...
BENEDICT J. BROWN, X...
CARLOS V. BROWN, X...
PATRICK C. BROWN, X...
PATRICK W. BROWN, X...
FORREST R. BROWNE, III, X...
MARGUERITE D. BRUCE, X...
JOHN D. BRUGHELLI, X...
WILLIAM C. BRUNNER, X...
DORRIE E. BRYSON, X...
FREDERICK F. I. BURGESS, X...
JAMES L. BURK, X...
JOSEPH F. BURKARD, X...
ALAN L. BURLINGAME, II, X...
SUE A. BURNETT, X...
CASEY C. BURNS, X...
MARK L. BURTMAN, X...
STANLEY R. BUSH, X...
MAUREEN R. N. BUTLER, X...
JACK C. CAIN, X...
MARGARET CALLOWAY, X...
JOSEPH A. CAMPBELL, X...
NICHOLAS M. CARDINALE, X...
ROY J. CARLS, X...
BRETT B. CARMICHAEL, X...
WILLIAM S. CARNEVALI, X...
DAVID T. CARPENTER, X...
RONALD K. CARR, X...
KEVIN J. CARRIER, X...
THOMAS P. CARROLL, X...
JOHN J. CARTY, X...
HAROLD H. CASERTA, X...
BROOKS D. CASH, X...
PEDRO L. CASINGAL, JR, X...
ANTHONY P. CATANESE, X...
THOMAS G. CATENA, X...
RODANTE CATUBAY XX...
KEITH C. CELEBREZZE, X...
VIDMANTAS A. CEMARKA, X...
JAY E. CHAMBERS, X...
CONNIE CHAN, X...
MARK K. CHO, X...
STEPHEN L. CHRISTOPHER, X...
MICHAEL A. CIAMPI, X...
GARY B. CLARK, X...
JAMES F. CLEARY, X...
TIMOTHY L. CLENNEY, X...
DAVID W. CLINE, X...
THOMAS R. CLOUTHIER, X...
STEVEN J. COATY, X...
HARRIET E. COFFEY, X...
LINDA J. COLEMAN, X...
SHERI R. COLEMAN, X...
JAMES A. COLLINS, X...
JOHN P. COLMENARES, X...
LINDA A. CONIGLIO, X...
KATHERINE H. CONNOLLY, X...
ALBERT E. COOMBS, X...
CATHERINE S. COPENHAVER, X...
JOHN CORONADO, X...
PATRICIA M. CORSELLO, X...
MICHAEL T. COURIS, X...
ROBERT R. COX, X...
STEPHEN COX, X...
RANDAL B. CRAFT, X...
KEVIN L. CRAIG, X...
TIMOTHY G. CRAVEN, X...
LUZ M. CRELLIN, X...
JAMES R. CRISFIELD, JR, X...
MARK C. CROWELL, X...
RACHELE A. CRUZ, X...
ERIC E. CUNHA, X...
MARK S. CURNOW, X...
DEBORAH A. CURRAN, X...
SCOTT A. CURTICE, X...
DALE P. CURTIS, X...
ERIC W. CZANDER, X...
RHODEL F. DACANAY, X...
MASON X. DANG, X...
ELIZABETH A. DANIS, X...
TIMOTHY M. DANNEMILLER, X...
AGNES G. DAVID, X...
ANDREW M. DAVIDSON, X...
GREGORY W. DAVIS, X...
SUBRATO J. DEB, X...
MONTE R. DEBOER, X...
DEBRA A. DELEO, X...
EUGENE D. DELLAMAGGIORE, X...
JULIE D. DELVECCHIO, X...
BRIAN J. DEMASTER, X...
EDWARD A. DEMPSTER, X...
JOHN E. DEORDIO, X...
KRISTI B. DEPPERMAN, X...
JUDITH M. DICKERT, X...
KENNETH DIXON, X...
ROBERT N. DOBBINS, X...
MATTHEW C. DOLAN, X...
REBECCA L. DONALDSON, X...
CHRISTOPHER R. DONOVAN, X...
ANTHONY P. DORAN, X...
CHRISTINE E. DORR, X...
LISA S. DOWNING, X...
GERALD W. DRYDEN, JR, X...
MARIBETH T. DUFFY, X...
LOLA DURHAM, X...
KATHLEEN DURYEA, X...
JEFFREY J. DYER, X...
LAURA M. DYER, X...
TEDDIE L. DYSON, X...
GUS EADY, X...
MARVIN R. EARLES, X...
MATTHEW L. EARLY, X...
WALTER E. EAST, X...
MICHAEL E. EBY, X...
DEMETRI ECONOMOS, X...
BARBARA A. ELKO, X...
JEROME G. ENAD, X...
JOHN W. EPLING, X...
PHILIP J. EVANS, X...
TODD L. EVANS, X...
RONALD D. EVERS, X...
LENORE R. EZERNACK, X...
TED M. FANNING, X...
JACKIE S. FANTES, X...
PETER T. FAVREAU, X...
JASON S. FEINBERG, X...
JOSE J. FERNANDEZ, JR, X...
WENDY C. FEWSTER, X...
DANNY E. FIELD, X...
PAUL E. FINLEY, X...
TERENCE FINNERTY, X...
JEFFREY A. FISCHER, X...
KEVIN FITZPATRICK, X...
JOSEPH W. FLANAGAN, X...
JONATHAN T. FLEENOR, X...
CAROLINE M. FLINT, X...
MARIA C. FLYNN, X...
BRYAN A. FOX, X...
THOMAS C. FRANCHINI, X...
MICHAEL I. FREW, X...
MARK A. FRIEND, X...
DAVID R. FULCHER, X...
CRAIG A. FULTON, X...
LEONARD T. GAINES, X...
ROBERT E. GAINOR, X...
GREGORY GANSER, X...
DARIN S. GARNER, X...
STEPHEN G. GARNER, X...
DANIEL C. GAUGHAN, X...
MICHAEL R. GAURON, X...
JANET M. K. GEHRING, X...
REX W. GERDING, X...
RICHARD R. GESSNER, X...
CHERYL A. GIBSON, X...
KEVIN GILDNER, X...
DANIEL N. GILL, X...
STEPHEN M. GILL, X...
MARK T. GILLAND, X...
MERRILL L. GLADDEN, JR, X...
DANIEL J. GLATT, X...
TODD E. GOODE, X...
BRIAN M. GOODWIN, X...
SCOTT H. GOODWIN, X...
KELVIN J. GOODWINE, X...
MATTHEW O. GOTCH, X...
WILLIAM R. GRAF, X...
KARIS K. GRAHAM, X...
JOHN C. GRAVES, X...
WALTER M. GREENHALGH, X...
JIMMIE S. GRIFFEA, X...
JAMES M. GRIMES, X...
JOHN L. GRIMWOOD, X...
MARGARET M. GRISSINGER, X...
JOHN C. GROESCHEL, X...
KURT E. GRUNAWALT, X...
RODNEY L. GUNNING, X...
PAUL E. GUTT, X...
MICHAEL N. HABIBE, X...
BRADLEY H. HAJDIK, X...
BEVERLY HALL, X...
KRIS B. HALL, X...
MICHAEL A. HALL, X...
CRAIG S. HAMER, X...
JADA L. HAMILTON, X...
KEITHE A. HANLEY, X...
DOUGLAS W. HANNA, X...
MICHAEL S. HANSEN, X...
GERALYN A. HARADON, X...
ERIC P. HARDEE, X...
JOHN V. HARMON, X...
DENISE Y. HARRINGTON, X...
ROBERT A. HARRIS, X...
GREGORY W. HARSHBERGER, X...
SHEHERAZAD A. HARTZELL, X...

WILLIAM P. HAYES, X...
WILLIAM R. HAYES, X...
CHARLES K. HEAD, X...
MARJORIE F. HEBERLE, X...
DANIEL J. HEBERT, X...
PENNY M. HEISLER, X...
JAMES D. HELLAUER, X...
MICHAEL N. HENDEE, X...
CHRISTOPHER C. HENDERSON, X...
JENIFER L. HENDERSON, X...
ERROL D. HENRIQUES, X...
JOHN M. HERNANDEZ, X...
JOY M. HERNANDEZHORTON, X...
JAVIER HERRERA, X...
THOMAS D. HICKEY, X...
THOMAS E. HICKEY, X...
JAMES F. HILES, III, X...
JAMES M. HILL, X...
MARY C. HILTON, X...
KEVIN W. HINSON, X...
SCOTT HINTON, X...
CHARLES C. HOFF, X...
WILLIAM K. HOLLAND, X...
HARNATH C. HOLMES, X...
ANTHONY R. HOOVLER, X...
MICHAEL T. HOPKINS, X...
MARY C. L. HORRIGAN, X...
LILY X. HOU, X...
RAYMOND G. HOULE, X...
MARK H. HOVATTER, X...
MARCUS H. HOWELL, X...
CHARLES R. HOWSARE, X...
DAVID R. HOYT, X...
FRANK J. HRUSKA, X...
JENNIFER A. HUEBNER, X...
DONALD S. HUGHES, X...
WALTER B. HULL, X...
JOHN F. HUNT, X...
ROBERT J. HUNT, X...
THANH T. HUYNH, X...
JOEL INMAN, X...
MARK R. IPPOLITO, X...
CURTIS M. IRBY, X...
GILLIAN V. JAEGER, X...
JULIE A. JARVIS, X...
M. Z. JASSER, X...
ELESIA M. JEMISON, X...
ROBERT M. JENNINGS, X...
JAMES JOHNSON, JR., X...
LAURENCE C. JOHNSON, X...
MARILANNE JOHNSON, X...
PETER M. JOHNSON, X...
RANDALL G. JOHNSON, X...
CHRISTINE M. JOLLY, X...
GREGORY W. JONES, X...
SHERRY K. JONES, X...
TAMMY C. JONES, X...
BENJAMIN W. JORDAN, X...
STANLEY J. JOSSELL, X...
MILAN J. JUGAN, JR., X...
RICHARD D. KACERE, X...
ALEXANDER J. KALLEN, X...
KENN K. KANESHIRO, X...
FREDERICK C. KASS, X...
SARA M. KASS, X...
KIMBERLY M. KAUFFMAN, X...
NINA L. KAZEROONI, X...
THOMAS J. KEANE, X...
DAVID J. KEBLISH, X...
FRANCES G. KELLER, X...
FREDERIC J. KELLEY, III, X...
EDWARD W. KELLY, X...
JOHN S. KENNEDY, X...
TINA L. KEY, X...
PAUL C. KIAMOS, X...
BARBARA J. KINCADE, X...
KRISTIAN J. KINEL, X...
KEVIN L. KLETTE, X...
MARK A. KOBELJA, X...
JOSEPH J. KOCHAN, III, X...
TADEUSZ J. KOCHEL, X...
RONALD J. KOCHER, X...
PETER H. KOPFER, X...
KAREN J. KOPMANN, X...
PATRICK M. KORTEBEIN, X...
ERNEST P. KOTSOS, X...
TODD M. KRAFT, X...
WILLIAM K. KREBS, X...
MATTHEW L. KRONISCH, X...
DAVID G. KUPKOWSKI, X...
WILLIAM E. KUTZERA, X...
CHARLES S. KUZMA, X...
GREGORY L. LABENZ, X...
CARLA R. LAMB, X...
JOSEPH M. LARA, X...
PATRICK R. LARABY, X...
CATHY T. LARRIMORE, X...
THOMAS R. LATENDRESSE, X...
JOSEPH T. LAVAN, X...
PATRICK L. LAWSON, X...
RANDAL K. LEBLANC, X...
JEFFREY S. LECLAIRE, X...
JONATHAN Y. LEE, X...
NORMAN LEE, X...
PATRICIA LEE, X...
JOHN W. LEFAVOUR, X...
PAUL H. LENTO, X...
SCHALK J. LEONARD, X...
WILLIAM J. LEONARD, JR., X...
THOMAS A. LEONG, X...
SHARRON A. LEWIS, X...
JAMES R. LIBERKO, X...
CON Y. LING, X...
GLENN J. LINTZ, X...
FRANCESCA K. LITOW, X...
DAVID P. LONCARICH, X...
DONALD A. LONERGAN, X...
ROGER D. LORD, X...
MICHAEL J. LOUTHAN, X...
ANN M. LUCAS, X...
ANNA W. LUCAS, X...
STACEY L. LUDLOW, X...
PATRICK F. LUEDTKE, X...
JOSEPH P. LUKASIEWICZ, X...
THOMAS C. LUKE, X...
MARY A. MACY, X...
RICHARD N. MAENHARDT, X...
JASON D. MAGUIRE, X...
RICHARD T. MAHON, X...
GERARD J. MAHONEY, X...
ROBERT R. MAIN, X...
WILLIAM W. MAK, X...
MARTIN A. MAKELA, X...
DOUGLAS J. MARSHALL, X...
KEVIN M. MARTIN, X...
THOMAS C. MARTIN, JR., X...
CARLOS J. MARTINEZ, X...
JESUS MARTINEZ, X...
KEVIN J. MASON, X...
MARSHALL L. MASON, III, X...
THERESA M. P. MASON, X...
GARY L. MASTERS, JR., X...
JOHN W. MAURICE, JR., X...
CHRISTOPHER B. MAWN, X...
BRUCE C. MAXWELL, X...
CHRISTOPHER J. MCARTHUR, X...
STACY MCBROOM, X...
MARTIN D. MCCUE, X...
JOHN M. MCCURLEY, X...
DAVID M. MCELWAIN, X...
RONALD C. MCGAUGH, JR., X...
MICHAEL T. MCHALE, X...
GEORGE R. MCKEMEY, X...
DENNIS P. MCKENNA, X...
SHANTHA C. MCKINLAY, X...
JOSEPH P. MCMAHON, II, X...
ELLEN M. MCMANUS, X...
DANIEL A. MCNAIR, X...
JOHN M. MCVEIGH, X...
MICHAEL J. MEDINA, X...
KENNETH J. MELCHIORRE, X...
JAMES J. MENSCHING, X...
JANET L. MENZIE, X...
ROBERT D. MENZIES, X...
BRETT T. METCALF, X...
THOMAS P. MEZZETTI, JR., X...
MICHAEL H. MICHALSKI, JR., X...
MARK E. MICHAUD, X...
CHARLES H. MILLER, IV, X...
JEFFREY S. MILLER, X...
FREDERICK W. MINOR, X...
ALLEN O. MITCHELL, X...
JACK H. MITSTIFER, X...
GORDON E. MODARAI, X...
LUIS M. MOLINA, X...
GEORGE R. MOON, X...
THOMAS F. MOONEY, III, X...
JOLENE M. MOORE, X...
LESLIE A. MOORE, X...
MICHAEL K. MOORE, X...
THOMAS P. MOORE, X...
DONNA M. MORGAN, X...
ROBERT C. MORRIS, X...
CHRISTOPHER S. MOSHER, X...
SHERYL B. MOVSAS, X...
ANDREW B. MUECK, X...
MARK S. MURPHY, X...
MICHAEL B. MURPHY, X...
SCOTT J. MURPHY, X...
MICHAEL J. MURRAY, X...
JOSEPH S. MYERS, JR., X...
MICHAEL A. NACE, X...
JOHN H. NAGELSCHMIDT, X...
HELEN A. NAPIER, X...
WILLIAM C. NASH, X...
KENNETH T. NATIONS, X...
DANIEL X. NESBITT, X...
JOHN B. NEWMAN, X...
WILLIAM C. NEWTON, X...
TRANG D. NGUYEN, X...
SANDOR S. NIEMANN, X...
ANGELA S. NIMMO, X...
GREGORY P. NOONE, X...
ROBIN Y. NOYES, X...
ELVIN R. NUNES, II, X...
ANITA M. NUSBAUM, X...
ROBERT C. NUSBAUM, X...
ROBERT B. OAKELEY, X...
JAMES M. OAKS, X...
KRISTIN L. OAKS, X...
KATHRYN A. OBRIEN, X...
WILLIAM F. OBRIEN, X...
MICHAEL J. ODONOGHUE, JR., X...
CHRISTOPHER OHARA, X...
DAVID A. OLIVER, X...
LORI K. OLIVER, X...
DONALD E. OLOFSSON, X...
DANIEL W. ONEILL, X...
LUIS A. ORTEGA, X...
CHERYL A. OSTROWSKI, X...
MICHAEL OTTNEY, X...
JOSEPH F. PALERMO, X...
DEIDRA R. C. PALMER, X...
JOHN T. PALMER, X...
RICHARD M. PANKO, X...
JOHN J. PAPE, X...
RONALD D. PARKER, X...
GARY V. PASCUA, X...
THERESA M. PASERB, X...
JEANMARIE PATNAUDE, X...
KELLY S. PAUL, X...
RICHARD J. PAVER, X...
VIOLET A. A. PAYNE, X...
ERICK PERROUD, X...
MARIA E. PERRY, X...
DARRYL N. PERSON, X...
TODD B. PETERSON, X...
JOANNE M. PETRELLI, X...
MARK J. PETRUZZIELLO, X...
ROSELLE C. PETTORINO, X...
GARY M. PHILLIPS, X...
BRANT D. PICKRELL, X...
STEPHEN P. PIKE, X...
PAMELA M. PLETCHER, X...
JEFFREY M. PLUMMER, X...
DAVID S. PLURAD, X...
JAMES B. POINDEXTER, III, X...
MARK A. POLCA, X...
ROBERT J. POMPHREY, X...
JOAN POOCHOON, X...
TIMOTHY J. POREA, X...
MAE M. POUGET, X...
THOMAS M. PRATER, X...
KEVIN T. PRINCE, X...
JAMES A. PROTIN, X...
LARRY J. PRUITT, X...
KENNETH G. PUGH, X...
CHARLES T. PULLEN, X...
SALLY R. PULLEN, X...
SCOTT W. PYNE, X...
CHRISTOPHER S. QUARLES, X...
RICHARD D. QUATTRONE, X...
TIMOTHY R. QUINER, X...
JEFFREY D. QUINLAN, X...
JAMES D. RAILEY, X...
ROBERT C. RAYMOND, X...
DON S. RAYMUNDO, X...
LESLIE E. REARDANZ, III, X...
MARK A. REED, X...
WILLIAM J. REED, X...
WILLIAM F. REICH, IV, X...
MICHAEL R. REIDER, X...
RICHARD N. REILLY, X...
EDWARD W. RHOMBERG, X...
RANDY S. RICH, X...
DAWN D. RICHARDSON, X...
MONIQUE R. RICHEY, X...
WILLIAM G. RINCON, X...
JUAN P. RIVERA, X...
STEVEN R. ROBERTS, X...
GARY C. ROBERTSON, X...
DAVID F. ROCKWELL, X...
LAUREN P. RODIER, X...
SHELLY D. ROGERS, X...
STACY J. ROGERS, X...
MENDEZ A. E. ROIS, X...
SALLY A. ROLDAN, X...
BRUCE A. ROLL, X...
MARY A. RONALD, X...
SHARON L. RONCONE, X...
MICHAEL J. ROPIAK, X...
PHILIP G. ROSENBERG, X...
BARBARA C. ROSENTHAL, X...
JASON J. ROSS, X...
MICHAEL B. ROTH, X...
MICHAEL S. ROUNDY, X...
MARY K. RUSHER, X...
JOSEPH F. RUSSELL IV, X...
MICHAEL H. RYAN, X...
ERICA L. SAHLER, X...
NYDIA I. SANCHEZ, X...
JOHN W. SANDERS III, X...
JOHN T. SANTOSALVO, X...
FRANKLIN R. SARRA, JR., X...
ELIZABETH K. SATTER, X...
RICHARD B. SAUL, X...
TROY SAUNDERS, X...
MICHAEL A. SAVANNAH, JR., X...
JOSEPH W. SCHAUBLE, X...
MARY D. SCHETZSLE, X...
BRYAN P. SCHUMACHER, X...
LINWOOD R. SCHWARTZ, X...
CLIFFORD G. SCOTT, X...
DELENE SCRAFFORD, X...
SCOTT M. SEATON, X...
ROBERT E. SEDLACK, X...
PETER W. SEELEY, X...
HELEN N. SEMPIRA, X...
DAVID A. SERAFINI, X...
JAVAID A. SHAD, X...
DAVID G. SHELDON, X...
MICHAEL A. SHERMAN, X...
THOMAS SHIEH, X...
RUSSELL D. SHILLING, X...
JAMES H. SIMON, X...
PAUL E. SIMS, X...
ALLEN J. SKIBBA, X...
WILLIAM T. SKINNER, X...
DOROTHEA A. SLEDGE, X...
STEPHANIE M. SMART, X...
DAVID M. SMITH, X...
GORDON R. SMITH, X...
MARK W. SMITH, X...
SERESE Y. SMITHHAXTON, X...
MARK E. SNIDER, X...
MICHAEL S. SNYDER, X...

KAREN M. SOMERS, x...
PAUL S. SON, x...
THOMAS C. H. SONG, x...
GARY A. SPENCER, x...
ROBERT C. STABLEY, x...
DAVID A. STAHL, x...
PETER G. STAMATOPOULOS, x...
DIANNE STANTONSANCHEZ, x...
J. C. STARK, x...
MITCHELL E. STASHOWER, x...
DICK E. STEARNS III, x...
JULIE A. STENGER, x...
SHEREE D. STEPHENS, x...
CHRISTOPHER A. STEWART, x...
TROND A. STOCKENSTROM, x...
JAMES T. STONE, x...
JASON D. STONER, x...
MICHAEL C. STONER, x...
KARL D. STOUT, JR, x...
MICHAEL J. STRUNC, x...
KEITH A. STUESSI, x...
DAWN E. SULLIVAN, x...
PATRICIA M. SULZBACH, x...
TODD E. SUMNER, x...
JACKELENE SUTTON, x...
STEPHEN A. SZABO, x...
KURT M. TAMARU, x...
DAVID A. TARANTINO, JR, x...
GREGORY J. TARMAN, x...
PAULINE M. TAYLOR, x...
BRADLEY E. TELLEEN, x...
MICHAEL D. THOMAS, x...
WILLIAM C. THOMAS, x...
P. H. G. THOMPSON, x...
STEVEN C. THORNE, x...
JONATHAN S. THOW, x...
TUDOR R. TIEN, x...
ANTHONY L. TIMKO, x...
GREGORY N. TODD, x...
WILLIAM E. TODD, x...
JENNIFER E. TONGEMARTIN, x...
OREN G. TOWNSEND, x...
JOHN M. TRAMONT, x...
DAVID J. TRETTEL, x...
JEFFREY R. TRIMARK, x...
DONALD P. TROAST, x...
SAMUEL K. TSANG, x...
BING S. TSAY, x...
MARK A. ULRICH, x...
GUIDO F. VALDES, x...
JASON L. VANBENNEKOM, x...
ROBERTO S. VASQUEZ, x...
SHARON S. VETTER, x...
JONATHAN H. WAGSHUL, x...
DELANO I. WALTERS, x...
SCOTT S. WANIEWSKI, x...
DAVID C. WARUNEK, x...
DAVID L. WASBERG, x...
MICHAEL A. WEAVER, x...
VICKIE A. WEAVER, x...
PETER WECHGELAER, x...
PETER A. WEISSKOPF, x...
ANN C. WEISZ, x...
MARK W. WERNER, x...
DONNA Y. WESTLAKE, x...
CHRISTOPHER WESTROPP, x...
KEVIN L. WHEELOCK, x...
JAMES H. WHITE, x...
RENEE T. WHITE, x...
EDNA C. WHITMORE, x...
CHRISTOPHER J. WHITNEY, x...
JAMES R. WHITSETT, x...
ANDREW F. WICKARD, x...
MELISSA A. WIGGINS, x...
PERRY N. WILLETTE, x...
DONALD J. WILLIAMS, x...
JAMES O. WILLIAMS, JR, x...
SANDRA F. WILLIAMS, x...
TRACI E. WILLIAMS, x...
BRIAN K. WILLIAMSON, x...
MICHAEL D. WILLIAMSON, x...
PAMELA Y. WILLSBORGSTEDE, x...
MICHAEL J. WILSON, x...
DEBORAH K. WINBURN, x...
JAMES P. WINCELOWICZ, x...
MICHAEL T. WINKLER, x...
LAURA A. WOLFGANG, x...
ROBERT O. WOODBURY, x...
JON S. WOODS, x...
PETER G. WOODSON, x...
YANCY C. YORK, x...
MARY E. YOUNGMAN, x...
MICHAEL A. ZANOLI, x...
ROBERT S. ZARUM, x...
JOHN A. ZULICK, x...

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, UNITED STATES CODE, SECTIONS 531 AND 5589(A):

To be lieutenant

WILLIAM L. ABBOTT, x...
SCOTT R. ADAMS, x...
MICHAEL A. ADRIANO, x...
RONALD L. AKERS, x...
RICHARD M. AMATO, x...
MICHAEL A. AMIG, x...
MARTIN A. ANDERSON, JR, x...
ARTHUR P. ARKO, x...
PETER J. BACHAND, x...
DAVID R. BALLANCE, x...
THOMAS C. BEHNE, x...
NONITO V. BLAS, x...
KARL J. BLAU, xx...
JAMES B. BLEAKLEY, x...
ROGER J. BROUILLET, x...
ALEX S. BROWN, x...
HOMER W. BUCKNER, x...
LAWRENCE C. CALLAHAN, x...
DENNIS L. CAMERON, x...
JERRY M. CARR, x...
TERRY V. CARROLL, x...
BARBARA A. CARTER, x...
PAUL C. CATOE, x...
GREGORY N. CHANDLER, x...
JERRY T. CHAPMON, x...
JERRY D. CHASE, x...
QUIRION CHRISTIAN, x...
TIMOTHY J. COCHRAN, x...
FRANK T. COGSWELL, x...
JOHN C. COLUCCI, x...
JAMES CONLEY, JR, x...
MICHAEL C. CONTONI, x...
THOMAS R. CORLEY, x...
JOHN E. CROSS, x...
DAVID A. DEARMAN, x...
JOHN F. DEDITIUS, x...
CHARLES A. DENNIS, x...
MARK P. DITTIG, x...
JOHN M. DOGGETT, x...
ROBERT J. DOHENY, x...
KENNETH P. DONALDSON, x...
ROBERT C. DOTSON, x...
RICHARD C. DUNAWAY, x...
GARRY S. DUNCAN, x...
DAVID A. DYMARCIK, x...
GREGORY T. ECKERT, x...
WILLIAM C. ECKES, x...
KEVIN L. ECKMANN, x...
DION J. EDON, x...
STEVEN J. EISENHAUER, x...
DAVID H. ELLER, x...
JEFFREY A. ELLIOTT, x...
ROBERT W. ESCHNER, x...
ROBERT R. FARMER, x...
MICHAEL P. FEELEY, x...
JOHN K. FERGUSON, x...
THEODORE H. FIEFFER, x...
WILLIAM P. FLINN, x...
YGNACIO V. FLORES, x...
RUSSELL D. FLORESKE, x...
RONALD E. FOUDRAY, x...
MARCIA A. FRITSCH, x...
ROBERT D. FUENTES, x...
GARRETT L. GARDNER, x...
MARK J. GIBSON, x...
GERARD F. GILES, x...
CLAY K. GLASHEEN, x...
HILTON J. GLYNN, x...
MARC D. GREGORY, x...
WALTER L. GRIFFIN, x...
BRUCE A. GRUBB, x...
COLLEEN E. HALLETT, x...
JEFFERY N. HANSON, x...
DAVID W. HARPER, x...
RICHARD F. HART, x...
TODD A. HAYNES, x...
SUSAN L. HENSLEY, x...
CHRISTOPHER A. HERNANDEZ, x...
MARK A. HOCHSTETLER, x...
PATRICK J. HODGSON, x...
CYNTHIA A. HOHWEILER, x...
RONALD J. HOLZMAN, x...
JOHN T. HONEA, x...
JOSEF S. HORAK, x...
RONALD P. HOSKINS, x...
STEVEN D. HULL, x...
GREGORY S. IRETON, x...
WILLIAM R. JOHNSON, x...
LAWRENCE A. JONES, x...
WILLIAM JONES, x...
MARK H. JORDEN, x...
HERBERT G. KAATZ, x...
GEORGE F. KELLY, x...
TRENT A. KERBS, x...
REBECCA L. KIRK, x...
EDWARD M. KNODLE, x...
DONALD J. KOBIEC, x...
LARRY G. KRULL, x...
GARY C. KYTE, x...
GEORGE C. LAFEMINA, x...
BRET R. LANCASTER, x...
MICHAEL D. LANTHORN, x...
MICHAEL LAPRADE, x...
WILLIAM S. LASKY, x...
CHRISTOPHER T. LESTER, x...
ERIC C. LEWIS, x...
KELVIN M. LEWIS, x...
GREGORY P. LIED, x...
MICHAEL A. LILE, x...
JOHN M. LOTH, x...
SCOTT B. LYONS, x...
JAMES W. MACEY, x...
ANNE E. MACFARLANE, x...
CRAIG T. MAJOR, x...
MANUEL S. MARGUY, x...
ROBERT B. MARRS, x...
ANTHONY S. MARTIN, x...
KELLY J. MATTESON, x...
MATTHEW M. MAURER, x...
MARTIN P. MCCABE, x...
JOHN D. MCCANN, x...
CHRIS E. MCDANIEL, x...
STEPHANIA Y. MCGARITY, x...
ROBERT E. MERCER, x...
DARRELL E. MERON, x...
SEAN M. MERSH, x...
MARK A. MESKIMEN, x...
ANTHONY O. MILLER, x...
PHILLIP G. MILLER, x...
WILLIAM F. MILLER, x...
RICHARD J. MORAWSKI, x...
DENNIS S. MOYER, x...
CHERYL A. MUIRHEAD, x...
STEVEN B. MULESKI, x...
DAVID T. MYATT, x...
GARY W. MYERS, x...
MICHAEL NIXON, x...
SCOTT E. NORR, x...
MARIAN S. OGRADY, x...
ROLANDO OLIVAS, x...
KEVIN R. OLSON, x...
JEFFREY M. PAFFORD, x...
RONNIE PARKS, x...
JAMES M. PARTICKA, x...
MICHAEL G. PASQUARETTE, x...
MOYNE J. PATTERSON, x...
RUSSELL L. PEACOCK, x...
THOMAS A. PETRELLA, x...
VICTORIA J. PHELPS, x...
DAVID L. POWELL, x...
THOMAS E. POWERS, x...
WILLIAM M. PRESCOTT, x...
ROBERT L. RAINES, x...
KEITH W. RANSOM, x...
RONALD L. REID, x...
PAUL K. REMICK, x...
JAMES A. ROBERTS, x...
MARK H. ROBERTSON, x...
THOMAS A. RODDY, x...
STEPHEN P. RODES, x...
CAITLIN G. ROOT, x...
BRADLEY J. SCHWAKE, x...
WILLIAM J. SCOGGIN, x...
MICHAEL A. SCOTT, x...
GERALD A. SHEALEY, x...
RICHARD T. SHELAR, x...
VINCENT S. SIEVERT, x...
SCOTT D. SILK, x...
ERIC J. SIMON, x...
MICHAEL G. SMITH, x...
REMBRANDT V. SMITH, x...
ROBERT E. SMITHBERGER, x...
JERRY M. SOLICH, x...
THOMAS G. SPANGLER, x...
EDWARD A. SPURLIN, x...
PETER J. STEVENS, JR., x...
JOHN M. STEVENSON, x...
RICHARD M. STEWART, x...
HILARY STROSE, x...
RANDY S. TANNER, x...
FRANKLIN R. TAYLOR, x...
ROY A. TELLER, x...
GREGORY A. TESCHNER, x...
MCDONALD THOMAS, x...
EDWARD S. THOMPSON, x...
DIANE E. TINKER, x...
MICHAEL B. TOMBLIN, x...
ROBERT J. TRAYNOR, x...
DENNIS B. TROUT, x...
ROBERT K. TUCKER, x...
JAMES P. TURNER, x...
STEVEN J. URSO, x...
ALEXANDER VANWORMER, x...
EFRAIN VELAZQUEZ, x...
MATTHEW W. VINCENT, x...
GLENN A. VOPPER, x...
TIMOTHY P. WADLEY, x...
TERRY P. WALDENMAIER, x...
SCOTT A. WALKER, x...
TIMOTHY J. WALTERS, x...
JOHN C. WANACHECK II, x...
DAVID S. WARNER, x...
RONALD T. WASHINGTON, x...
BRYAN F. WATTS, x...
LAURA A. WENDEL, x...
RAY R. WETMORE, JR, x...
DONALDSON E. WICKENS, x...
JURGEN H. WIESE, x...
JIMMY N. WILLIAMS, x...
WILLIAM A. WILLIAMS, x...
BARRY E. WISDOM, x...
JEFFREY N. WOOD, x...
ALLEN W. WOOTEN, x...
THERESA E. WRIGHT, x...
DONALD L. YOUNG, x...
STEVEN D. ZIEGLER, x...

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, UNITED STATES CODE, SECTION 5721:

To be lieutenant commander

WILLIAM B. ALLEN, x...
DANIEL D. ARENSMEYER, x...
KENNETH G. BECK, x...
MARK D. BEHNING, x...
CRAIG R. BLAKELY, x...
DAVID C. BORAH, x...
LEONARD H. BORGDORFF, x...
DENNIS R. BOYER, x...
WOODS R. BROWN, x...

ANTONIO J. CARDOSO, X...
ROBERT J. CLARK, X...
JOHN R. CRAIG, X...
JOHN H. CUNNINGHAM, X...
EUGENE J. DOYLE, X...
SEAN T. EPPERSON, X...
KEVIN S. FORD, X...
BRYAN P. FRATELLO, X...
BARRY J. GITTLEMAN, X...
JOHN R. GORMAN, X...
THOMAS C. GRAVES, X...
DANIEL P. HENDERSON, X...
MATTHEW HERMSTEDT, X...
EDWARD L. HERRINGTON, X...
WILLIAM J. HOUSTON, X...
JAMES H. JONES, X...
DAVID A. JULIAN, X...
FREDERICK A. KOONEY, X...
ERIC L. LONBORG, X...
PERRY L. MCDOWELL, X...
DARREN J. MCGLYNN, X...
JOHN P. MCGRATH, X...
TYLER L. MEADOR, X...
MARK V. METZGER, X...
JOHN C. MOHN, JR, X...
SANTOS L. MOLINA, X...
JOHN T. MYERS, X...
JAMES R. NELSON, X...
SCOTT W. PAPPANO, X...
EDWARD A. PITTMAN, X...
BRIAN D. ROTH, X...
JOHN A. SAGER, X...
DOUGLAS A. SAMPSON, X...
GEORGE B. SAROCH, X...
THOMAS A. SCHARES, X...
JAMES C. SEALS, X...
WILLIAM B. SEAMAN, X...
JAMES W. SKINNER, X...
MICHAEL J. SOWA, X...
JAMES L. SPENCER, X...
WILLIAMS R. STEVENSON, X...
MICHAEL J. TAYLOR, X...
DAVID W. WARNER, X...
JAMES P. WATERS, X...

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. AIR FORCE UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be lieutenant colonel

REBECCA G. ABRAHAM, X...
CHARLES E. ACREE, X...
KELLY M. ADAMS, X...
TERRY R. ADLER, X...
RICARDO AGUILAR, X...
JOHN J. AHERN, X...
FRANK ALBANESE, X...
JAMES V. ALDERMAN, X...
SCOTT C. ALEXANDER, X...
EDGAR ALICEAORTIZ, X...
ALETA S. ALLEN, X...
STEPHEN F. ALLTOP, X...
PATRICK A. ALMAZAR, X...
ANDREW C. ALPAUGH, X...
DOUGLAS H. ALSTON, X...
KURT S. ANDERS, X...
NIELS T. ANDERSEN, X...
ALAN K. ANDERSON, X...
BRYAN K. ANDERSON, X...
LISA M. ANDERSON, X...
JOSEPH O. ANDREWS, X...
MICHAEL ANGLEY, X...
MARK ANTHONY, X...
GLEN A. APGAR, X...
HAROLD J. ARATA, III, X...
ROBERT A. ARBACH, X...
CHIC A. AREY, X...
THOMAS ARKO, X...
JONATHAN A. ARNOLD, X...
TIMOTHY D. ARRINGTON, X...
THOMAS A. ARTIS, X...
CARLOS V. ARVIZU, X...
STEVEN V. AUCHTER, X...
ROGER P. AUSTIFF, X...
JOHN C. AUTEN, X...
JOHN F. AYMONIN, X...
ALAN E. BABCOCK, X...
GARRY C. BACCUS, X...
DANIEL D. BADGER, JR, X...
FREDERICK L. BAEDKE, X...
LAURELL BAEZ, X...
OCTAVIO NMI BAEZ, JR, X...
STEVEN A. BAGNASCHI, X...
HOWARD B. BAKER, X...
STEVEN F. BAKER, X...
TODD J. BALAWAJDER, X...
STEVEN A. BALDOCK, X...
DAVID S. BALLARD, X...
GUILLERMO B. BALMASEDA, X...
MICHAEL S. BALOG, X...
DANIEL C. BANKS, X...
ERIC A. BANKS, X...
MARTIN D. BANNON, X...
MARK JOSEPH BARNABO, X...
RICHARD D. BARTHOLOMEW, X...
MICHAEL L. BARTLEY, X...
RICHARD R. BASKIN, X...
DIANNA J. BATCHELOR, X...
JERRY L. BATEMAN, JR, X...
GLENN C. BAUGHER, X...
WILLIAM H. BAUMAN, III, X...
GREGORY M. BAYLEY, X...
MICHAEL O. BEALE, X...
CHARLES M. BEARD, X...
THOMAS J. BEATTIE, X...
STEVEN J. BEATTY, X...
ROBERT D. BECERRA, X...
KARL H. BECKER, X...
DENNIS J. BEERS, X...
EDWARD N. BEERY, X...
JEFFERY A. BELL, X...
ROBERT F. BELLACICCO, X...
THOMAS L. BELLNOSKI, X...
ROBERT S. BELLOMY, X...
GARY C. BENDER, X...
JOSEPH T. BENDER, X...
RALPH K. BENDER, X...
DALE P. BENEDETTI, X...
GORDON R. BENNETT, X...
BRYAN J. BENSON, X...
MICHAEL P. BENSON, X...
EDWARD J. BERGEMANN, X...
DANIEL E. BERGERON, X...
WILLIAM J. BERNARD, X...
LOUIS A. BERRENA, X...
ALAN T. BERRYMAN, X...
BRUCE R. BEVILLE, X...
LARRY W. BEWARD, X...
HAROLD W. BIDLACK, X...
THOMAS W. BILLICK, X...
DENNIS C. BILLIG, X...
PHILLIP E. BINGMAN, X...
CHRISTOPHER P. BISGROVE, X...
JONATHAN E. BITLER, X...
LANE S. BITTICK, X...
KIM R. BJERKEBEK, X...
MATTHEW T. BLACK, X...
ERIC L. BLACKMON, X...
LEMOYNE F. BLACKSHEAR, X...
MARY W. BLACKWELL, X...
LARRY R. BLADES, X...
RANDY L. BLAISDELL, X...
CAROLYN M. BLALOCK, X...
MICHAEL S. BLAND, X...
EDWIN K. BLASI, X...
ROBERT G. BLEDSOE, X...
GRACE M. BLEVINSHOLMAN, X...
JODIE L. BLISS, X...
KENNETT G. BLOCK, X...
ROLAND J. BLOOM, X...
MICHAEL J. BLOOMFIELD, X...
BRIAN W. BOARDMAN, X...
BRENDA J. BOBBITT, X...
LOUIS G. BOCHAIN, X...
JOHN A. BOCKHOLD, X...
CHRISTOPHER C. BOGDAN, X...
HELEN A. BOHN, X...
GLYN F. BOLASKY, X...
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TIMOTHY M. BOUDREAUX, X...
GREGG B. BOURKE, X...
DANIEL J. BOURSON, X...
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JOHN M. BOWERS, X...
CHRISTOPHER W. BOWMAN, X...
PAUL A. BOWMAN, X...
JOHN P. BOYLAN, X...
ROBERT M. BOZUNG, X...
JOHN L. BRAINERD, X...
GARY A. BRAND, X...
LORRIE L. P. BRANTLEY, X...
LEANN D. BRASURE, X...
LLOYD W. BRASURE, X...
KENNETH E. BRAY, X...
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JOHN E. BRENCE, X...
WILLIAM P. BRIDGES, X...
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ANDREW J. BRITSCHGI, X...
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TIMOTHY R. BRITT, X...
JERRY BROOKS, X...
EDWARD D. BROWN, X...
MARIAN J. BROWN, X...
ROBERT L. BROWN, X...
RONALD G. BROWN, X...
SCOT C. BROWN, X...
SCOTT W. BROWN, X...
CHRISTOPHER M. BROYHILL, X...
NORMAN J. BROZENICK, JR, X...
STEPHEN M. BRUMMOND, X...
JOHN A. BRUNDERMAN, X...
KENNETH A. BRUNER, X...
JOHN S. BRUNHAVER, X...
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JAN M. BRUNS, X...
OLIVER L. BRYANT, JR, X...
CURTIS L. BUCKLES, X...
ARNOLD W. BUNCH, JR, X...
LARRY E. BUNTING, X...
DARRYL R. BURGAN, X...
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TIM R. BURKES, X...
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JAY S. CARLSON, X...
CHARLES R. CARR, X...
DAVID B. CARR, X...
DAVID W. CARR, X...
STEPHEN S. CARR, X...
RUSSELL L. CARRAWAY, X...
MARVIN D. CARROLL, X...
VERONIQUE M. D. CARSTENS, X...
RONNIE CARVER, X...
JOHN D. CASEY, X...
JOHN C. CASSERINO, X...
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GIL V. CASTILLO, X...
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WILLIAM J. CHANGOSE, X...
DONALD R. CHAPMAN, JR, X...
RAYMOND J. CHAPMAN, X...
WILLIAM G. CHAPMAN, X...
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JOHN S. CLARK, JR, X...
LEO T. CLARK, X...
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PATRICK A. COE, X...
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RANDALL G. COLEMAN, X...
CHRISTOPHER E. COLEY, X...
JOSE R. COLL, X...
JAMES M. COLLINS, X...
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VINCENT J. CONSTANTINO, X...
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GREGORY P. COOK, X...
TIMOTHY M. COOK, X...
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MICHAEL A. CORBETT, X...
MARIA L. CORDERO, X...
DAVID C. CORDON, X...
JOHN T. CORRIGAN, X...
JEFFREY A. CORVEY, X...
RICHARD D. COSGROVE, X...
THOMAS H. COUCH, X...
CRAIG A. COWGILL, X...
MICHAEL A. COX, X...
ROBERT M. COX, X...
SAMUEL D. COX, X...
DANIEL H. CRAFT, X...
MICHAEL D. CRAIG, X...
WILLIAM O. CRAIG, X...
JOHN A. CRAWFORD, X...
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JOHN S. CROW, X...
MILES A. CROWELL, X...
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ELLIOT F. CRUZ, X...
YOLANDA CRUZ, X...
ALEX U. CRUZMARTINEZ, X...
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EDWIN CUNNINGHAM, X...
SUSAN M. CUNNINGHAM, X...
TOBY L. CUNZ, X...
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STEPHEN B. CZERWINSKI, X...

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DIK A. DASO, X...
JOHN F. DAUGHTRY, JR., X...
KEVIN P. DAVIDSON, X...
ROBERT D. DAVIS, III, X...
ROBERT J. DAVIS, X...
BRUCE C. DEARY, X...
ROBERT A. DEASY, III, X...
RICHARD D. DEFRIES, X...
RUSSELL P. DEFUSCO, X...
DENNIS J. DEGRAFF, X...
WILLIAM J. DELEHUNT, X...
WILLIAM G. DENBLEYKER, X...
TODD E. DENNING, X...
JAMES E. DENNIS, X...
STEVEN J. DEPALMER, X...
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MARK L. DEVIRGILIO, X...
BRUCE R. DEWITT, X...
TERRY L. DICKENSHEET, X...
BRIAN D. H. W. DICKERSON, X...
DEREK R. DICKEY, X...
IAN R. DICKINSON, X...
TERESA L. DICKS, X...
ERIC D. DIDOMENICO, X...
MARK L. DIEDRICK, X...
SCOTT A. DINAPOLI, X...
LAURA A. H. DISILVERIO, X...
TERESA AH DJURIC, X...
EUGENE W. DOBRY, JR., X...
PAUL T. DOLSON, X...
BLAKE L. DONALD, X...
MATTHEW J. DORSCHEL, X...
TYRONE DORSEY, X...
MARTIN G. DOURTE, X...
SCOTT M. DOWTY, X...
JAMES J. DREW, X...
JOSEPH D. DRUCTOR, X...
SCOTT B. DUFAUD, X...
DONALD F. DUMAS, X...
ALTON L. DUNHAM II, X...
HELMUT S. DUNLAP, X...
ALBERT G. DUNN, JR., X...
JAMES A. DUNN, X...
THOMAS J. DUPRE, X...
WILLIAM E. DURALL, X...
MATTHEW J. DURHAM, X...
JAMES E. EDGE, X...
MICHAEL D. EDWARDS, X...
THOMAS J. EDWARDS, X...
GEORGE V. EICHELBERGER, X...
JAMES E. EISENHART, X...
DAVID C. EISENSTADT, X...
KIM F. ELLARD, X...
LISA K. ELLARD, X...
MICHAEL D. ELLIS, X...
STEPHEN J. ELLISON, X...
THOMAS F. ELSESSER, X...
TAYLOR C. EMANUEL, X...
JOHN L. EMICH, JR., X...
NELSON W. ENGLISH, X...
MATTHEW C. ENGLUND, X...
JAMES C. EPTING, X...
MICHAEL J. ERICKSEN, X...
RAYMOND W. ERICKSON, JR., X...
STEVEN P. ERNST, X...
DAVID ERTESCHIK, X...
JAMES L. ESOLA, X...
JOHN L. EUNICE III, X...
JAMES J. EVANKO, X...
JOHN W. FAGNANT, X...
STEPHEN C. FAIRBAIRN, X...
ANNE R. FAIRCHILD, X...
MARK J. FARENBAUGH, X...
MARK A. FASSIO, X...
ANTHONY W. FAUGHN, X...
TERRY M. FEATHERSTON, X...
BRIAN C. FENELON, X...
BRYAN S. FERGUSON, X...
JEFFREY B. FETNER, X...
HOWARD P. FIELDS, X...
RICHARD E. FINCH, X...
THOMAS V. FINKE, X...
JAMES L. FITCH, X...
DARYL K. FITZGERALD, X...
MARK P. FITZGERALD, X...
JOHN W. FLADE, X...
WYATT R. FLEMING, X...
JAVIER FLORES, X...
KEVIN A. FOLEY, X...
ROGER A. FOLEY, X...
TERRENCE J. FOLEY, X...
DAVID A. FOLTS, X...
RONALD J. FONTANEZ, X...
GREGORY E. FOO, X...
WAYNE C. FOOTE, X...
DEWEY G. FORD, X...
JOSEPH M. FORD, X...
MICHAEL R. FOWLER, X...
MICHAEL J. FRAHM, X...
MARTIN E. BARTEAU FRANCE, X...
GREGG A. FRANK, X...
RANDAL C. FRANKLIN, X...
WARREN H. FRANKLIN, X...
DAVID T. FREANEY, X...
WALTER E. FRED, X...
NEIL B. FRIEDLI, X...
LINDA K. FRONCZAK, X...
MICHAEL K. FRYE, X...
HERBERT N. FULLER, X...
PAUL A. FULTON, X...
ANN P. FUNK, X...
FRANCIS R. GABRESKI, X...
PAUL A. GACKE, X...
JAMES J. GALLAGHER, X...
JAMES P. GALLOWAY III, X...
CALIXTO M. GARCIA, X...
IGOR J.P. GARDNER, X...
MICHAEL T. GARDNER, X...
ERIC P. GARRISON, X...
GREGG A. GARRISON, X...
WANDA K. GARRITY, X...
ERIC D. GARVIN, X...
JORGE S. GARZA, X...
JOHN J. GASKA, X...
MILO R. GAVIN, X...
PAUL T. GEIER, X...
JOHN P. GEIS II, X...
CHRISTIAN G. GEISEL, X...
JOHN R. GEISSLER, JR., X...
DONALD S. GELOSH, X...
KEITH E. GENTILE, X...
MARK S. GIANNINI, X...
PHILLIP G. GIBBONS, X...
DAVID G. GIBBS, X...
RICHARD F. GIBBS II, X...
TOM GILBERT, X...
VANCE F. GILSTRAP, X...
DORILYNN D. GIMONDO, X...
CRAIG S. GIRARD, X...
LOWELL S. GLOVER, X...
DUANE A. GOEHRING, X...
CAROL V. GOFF, X...
HAROLD R. GOFF, X...
MATTHEW S. GOGAN, X...
JAMES M. GOLASH, X...
ROBERT A. GOLDBERG, X...
JULIA K. GONZALES, X...
WILLIAM GONZALEZ, JR., X...
JOHN PHILLIP GOOD, X...
DAVID E. GOSS, X...
JESSE R. GOSSNER, X...
LESTER O. GRADY, JR., X...
JUDY M. GRAFFIS, X...
KENNETH C. GREEN, X...
ERIC GREENBLATT, X...
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RODERICK I. GREGORY, X...
MARK W. GREISING, X...
ALAIN M. GRIFFIN, X...
BOBBIE L. GRIFFIN, JR., X...
NATALIE A. GROSEK, X...
KENNETH P. GROSSELIN, JR., X...
RONALD A. GRUNDMAN, X...
GLEN E. GULLEKSON, X...
JOHN D. GYTRI, X...
MORRIS E. HAASE, X...
STEVEN L. HACK, X...
MICHAEL H. HACKETT, JR., X...
MARK E. HACKLER, X...
STEVEN M. HADFIELD, X...
DAVID L. HAFICH, X...
CHARLES E. HAINES, X...
RICHARD A. HAIR, X...
CHRISTOPHER B. HALE, X...
THELMA R. HALES, X...
BRIAN K. HALL, X...
BYRON E. HALL, X...
RANDALL D. HALL, X...
ROGER L. HALL, X...
ERIC V. HALMON, X...
DONALD J. HALPIN, X...
CHARLES A. HAMILTON, X...
ROBERT E. HAMM, JR., X...
HARVEY L. HAMMOND, JR., X...
DEXTER R. HANDY, X...
RUSSELL J. HANDY, X...
DONA J. HANLEY, X...
PHILLIP C. HANNAH, JR., X...
JEFFREY A. HANSON, X...
WILLIAM L. G. HARDEN, X...
MICHAEL R. HARGROVE, X...
ROBERT J. HARPER, X...
TIMOTHY A. HARRIS, X...
ROBERT HARRISON, X...
ANTHONY C. HART, X...
CARL J. HARTKE, X...
JAMES W. HARVARD, X...
MARVIN K. HARVEY, JR., X...
WALTER B. HARVEY III, X...
KEN R. HASEGAWA, X...
GREGORY S. HASTY, X...
CASS HATCHER, X...
JAMES C. HATFIELD, X...
TIM HAWES, X...
CLIFTON A. HAYNES, JR., X...
JONATHAN K. HAYWARD, X...
KELLY P. HAZEL, X...
DAVID M. HAZELTON, X...
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CRAIG W. HEISE, X...
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ROBERT J. HENRY, X...
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KENNETH C. HERBERT, X...
WILLIAM E. HERR, X...
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STEPHEN R. HESS, X...
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TROY A. HITHE, X...
PAMELA R.C. HODGE, X...
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JOHNNY R. HORN, X...
WILLIAM T. HORN, X...
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DANA J. HOURIHAN, X...
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DAVE C. HOWE, X...
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ARTHUR F. HUBER II, X...
BENJAMIN C. HUFF, X...
STEPHEN L. HUFFMAN, X...
ARLEY J. HUGGHINS, X...
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CHARLES E. HUGHES, X...
CRAIG A. HUGHES, X...
WILLIAM D. HUGHES III, X...
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JOHN C. JACKSON III, X...
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JEROME M. JANKOWIAK, X...
LEONARD P. JANKOWSKI, X...
DAVID J. JAY, X...
DONALD L. JENKINS, JR., X...
EDWARD T. JESPERSEN, X...
DREW D. JETER, X...
GLEN G. JOERGER, X...
KENNETH J. JOHNS, X...
BRUCE A. JOHNSON, X...
CHARLES W. JOHNSON, X...
DAVID C. JOHNSON, X...
DORIS A. JOHNSON, X...
JEFFREY R. JOHNSON, X...
LAWRENCE M. JOHNSON III, X...
PAUL T. JOHNSON, X...
THOMAS E. JOHNSON, X...
SAMUEL C. JOHNSTON, X...
GERARD JOLIVETTE, X...
CAROL ANN JONES, X...
STEPHEN M. JONES, X...
MARK H. JORDAN, X...
MARTHA K. JORDAN, X...
DANIEL O. JOYCE, X...
THOMAS F. JOYCE, X...
GREGORY J. JUDAY, X...
EDWARD P. JUERSIVICH, X...
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MICHELLE S. KALKOWSKI, X...
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KEVIN J. KEEFER, X...
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JON A. KIMMINAU, X...
LELAND W. KINDLE, X...
CHRISTOPHER B. KING, X...
ROBYN M. KING, X...
BRET T. KLASSEN, X...

KURT A. KLAUSNER, X...
KEVIN P. KLINGENBERG, X...
FREDERICK D. KLUG, X...
ANDREW Q. KNAPP, X...
GASTON R. KNIGHT, X...
ALAN P. KNOPF, X...
MARK E. KOECHLE, X...
RICHARD C. KOLOIAN, X...
VENKATRAO KONERU, X...
DOUGLAS J. KOSKI, JR., X...
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JEFFREY KRAUSERT, X...
JOHN P. KROGMAN, X...
MARK F. KRUSAC, X...
MICHAEL KUKULSKI, X...
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MARSHA J. KWOLEK, X...
ROBERT D. LAFEBRE, X...
GARY J. LAMMERS, X...
PAUL S. LAND, X...
DONALD R. LANDING, X...
DAVID A. LANDRY, X...
CHRIS S. LANE, X...
GARY W. LANE, X...
RICHARD A. LANE, X...
JIMMY L. LANGLEY, JR., X...
RICHARD W. LAVERGNE, X...
THOMAS E. LAWRENCE, JR., X...
TIMOTHY S. LEAPTROTT, X...
DANIEL K. LEAR, X...
RODNEY L. LEATHERY, X...
NORMAN R. LECLAIR, X...
CHRISTOPHER B. LECRAW, X...
DAVID S. LEDIN, X...
DAVID C. LEE, X...
TERENCE B. K. LEE, X...
RODERICK W. LEES, X...
DOUGLAS W. LEFFORGE, X...
LEE J. LEHMKUHL, X...
ROXANNE L. LEHR, X...
RICHARD W. LEIBACH, X...
JOHN W. LENT, X...
SHERON R. LEONARD, X...
JOSEPH P. LEPANTO, X...
ROBERT P. LEROUX, X...
MARK J. LEWAKOWSKI, X...
ALFRED M. LEWIS, X...
MICHAEL LEWIS, X...
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JOHN C. LIBURDI, X...
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JOHN S. LILLY, X...
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RODNEY K. H. LIU, X...
DARRELL A. LIVINGSTON, X...
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ROSEMARIE M. LOERAKKER, X...
JEFFREY G. LOFGREN, X...
JAMES C. LONG, X...
JAMES T. LONG, X...
JOHN A. LOPER, X...
KEVIN W. LOPEZ, X...
PAUL M. LOUGHNANE, X...
WILLIAM P. LOVELACE, X...
MARY J. LOWE, X...
ROBERTA R. LOWE, X...
MARC A. LUIKEN, X...
GEOFFREY T. LUM, X...
DONALD A. LUNDIE, X...
TIMOTHY T. LUNDIN, X...
TERRY L. LUST, X...
MICHAEL C. LUTS, X...
RUSSELL T. LUTTON, X...
GREGORY R. LYNCH, X...
KENNETH O. LYNN, X...
MITCHELL S. LYONS, X...
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WILLIAM C. MACKINZIE, III, X...
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GREGORY J. MAIN, X...
SHERMAN A. MALONE, X...
LAWRENCE E. MANNING, JR., X...
LEONARDO J. MANNING, X...
THEODORE J. MANOLAS, JR., X...
MICHAEL A. MARCINIAK, X...
DANE A. MAROLT, X...
DAVID P. MARONE, X...
CALVIN T. MARTIN, X...
EDWARD B. MARTIN, X...
KEVIN L. MARTIN, X...
WILLIAM H. MARTIN, JR., X...
LOUIS J. MARTUCCI, X...
CALVIN B. MASON, X...
ANN M. MATONAK, X...
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BARRY L. MCCALL, X...
EARL V. MCCALLUM, JR., X...
KEVIN P. MCCANDLESS, X...
DAVID R. MCCARTHY, X...
MARK R. MCCAUSLAND, X...
ROBERT S. MCCORMICK, X...
WAYNE L. MCCOY, JR., X...
LINDA K. MCCULLERS, X...
ROBERT K. MCCUTCHEN, JR., X...

JERRY C. MCDANIEL, X...
KENNETH C. MCDANIEL, X...
WILLIAM M. MCDANIEL, X...
JOHN R. MCDONALD, X...
ROBERT F. MCENIRY, X...
ANNE E. MCGEE, X...
RICHARD M. MCGIVERN, X...
MICHAEL A. MCGOVERN, X...
LAMBERT R. MCGRATH, III, X...
GREGORY A. MCINTYRE, X...
WILLIAM L. MCINTYRE, X...
STEVEN E. MCKAY, X...
CYNTHIA A. MCKINLEY, X...
JAMES H. MCKINNEY, JR., X...
JAMES K. MCLAUGHLIN, X...
CHARLES G. MCMILLAN, X...
MICHAEL B. MCMILLAN, X...
BEVERLY Y. MCNAIR, X...
MICHAEL R. MCPHERSON, X...
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JOSEPH MEANS, JR., X...
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ELLEN MERKLE, X...
JOHNNY E. MERRICK, X...
LYNNANNE MERTEN, X...
SAMUEL H. METZLER, X...
KEITH A. MICHEL, X...
MICHELE MIDDLESWORTH, X...
MARK R. MILARDO, X...
FRANK M. MILES, JR., X...
JOHN K. MILKS, X...
DAVID A. MILLER, X...
DENNIS M. MILLER, X...
JOEL E. MILLER, X...
MARCUS S. MILLER, X...
MARK A. MILLER, X...
SCOTT A. MILLER, X...
STEVEN F. MILLER, X...
KENNETH D. MILLS, X...
WILLIAM H. MILTON, X...
TIMOTHY R. MINISH, X...
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MICHAEL J. MIXON, X...
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STEVEN J. MOES, X...
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JAMES P. MOLLOY, X...
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TODD L. MONTGOMERY, X...
GREGG MONTIJO, X...
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CHRISTOPHER L. MOORE, X...
DAVID A. MOORE, X...
MICHAEL A. MORABITO, X...
LEWIS C. MORANT, X...
MICHAEL J. MORGAN, X...
WILLIAM A. MORGAN, X...
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DAVID NEGRON, JR., X...
ANGELA NELSON, X...
DEAN A. NELSON, X...
DOUGLAS A. NELSON, X...
ERIC G. NELSON, X...
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RANDY E. NELSON, X...
SYLVIA S. NELSON, X...
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ROXANN A. OYLER, X...
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LOWELL B. PECK, X...
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JOSEPH PELCHAR, X...
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JOSEPH A. PERDUE, X...
GEORGE PERKINS, X...
MARK C. PERKINS, X...
JOHN J. PERLEONI, X...
PHILLIP L. PERRY, X...
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ALAN B. PETERSON, X...
RANDALL C. PETERSON, X...
WILLIAM E. PETERSON, X...
WILLIAM J. PFAU, X...
EDWARD J. PHILLIPS, X...
THERESA MARY PHILLIPS, X...
HOSEA L. PICKETT, X...
STEVEN A. PIETRUSZKA, X...
ANTHONY S. PINO, X...
ALFRED L. PITTS, X...
DAVID E. PLANT, X...
JONATHAN H. PLOTT, X...
NICOLE H. PLOURDE, X...
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JAMES P. PLYLER, X...
JAMES B. POCOCK, X...
ROBERT D. POLLOCK, X...
ROBERT N. POLUMBO, X...
GARY W. POND, X...
BILL POPE, X...
MARK A. POPE, X...
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GLENDA P. RAICHLEN, X...
DOUGLAS J. RAILEY, JR., X...
LEONARD H. RAK, X...
LUIS A. RAMIREZ, X...
LOUIS G. RANHOFER, JR., X...
CHARLES P. RAUPACH, X...
SHIRLEY A. RAWLS, X...
STEVENSON L. RAY, X...
MICHAEL K. REAGAN, X...
TIMOTHY P. REAGAN, X...
NORMAN W. REECE, X...
BRUCE A. REED, X...
DOUGLAS J. REED, X...
ROBERT E. REHBEIN, X...
JOSEPH L. REHM, X...
RICHARD B. REHS, X...
JACK L. REIMANN, X...
JERRY RENNE, X...
LARRY L. REXFORD, X...
CURTIS R. REYNOLDS, X...
RICHARD A. REYNOLDS, X...
PATRICK L. RHODE, X...
WILLIAM H. RHODES, JR., X...
DON K. RHUDY, X...
ROBERT E. RICCI, X...

DAVID L. RICHARDS, X...
CAROLYN E. RICHARDSON, X...
EDDIE L. RICHARDSON, X...
JOHN C. RILEY, X...
TIMOTHY J. RINCON, X...
TIMOTHY P. RINGDAHL, X...
DENEAN P. RIVERA, X...
HECTOR V. RIVERA, X...
TINA G. RIZZO, X...
LARRY E. ROAN, X...
DARRYL L. ROBERSON, X...
REID A. ROBERTS, X...
WILLIAM E. ROBERTS, III, X...
ALBERT L. ROBERTSON, JR. X...
THOMAS E. ROBICHAU, X...
STEVEN W. ROBINETTE, X...
CHARLES M. ROBINSON, X...
LORI J. ROBINSON, X...
RICHARD A. ROCLEVITCH, X...
JOHN ROGERS, X...
JOSEPH T. ROHRET, X...
MARK A. ROLING, X...
CALVIN J. ROMRELL, X...
SUSAN B. ROSE, X...
TIMOTHY J. ROSE, X...
THOMAS E. ROSENSTEEL, X...
DUANE P. ROSS, X...
RAYMOND J. ROTTMAN, X...
STEVEN A. RUEHL, X...
STEVEN A. RUGGLES, X...
KEVIN E. RUMSEY, X...
GARY W. RUSSELL, X...
JOSEPH D. RUTKOWSKI, X...
COLLEEN M. RYAN, X...
MICHAEL C. RYAN, X...
FREDERIC C. RYDER, X...
RUSSELL E. SACKETT, X...
PAUL D. SADOWSKI, JR. X...
MAURICE E. SALCEDO, X...
DAVID H. SAMMONS, JR. X...
JAMES F. SANDERS, X...
STEPHEN J. SATAVA, X...
MARK T. SATTERLY, X...
DAVID C. SAUTTER, X...
STEPHEN D. SAWYER, X...
JOHN J. SCANLON, X...
LARRY J. SCHAEFER, X...
SCOTT H. SCHAFER, X...
ALFRED C. SCHARFF, X...
FRED S. SCHEPPELE, X...
JOHN M. SCHIAVI, X...
DAVID P. SCHILLER, X...
MAX M. SCHINDLER, X...
THOMAS J. SCHLUCKEBIER, X...
OLIVER E. SCHMOKER, III, X...
CHARLES J. SCHNEIDER, X...
JAMES S. SCHOENEMAN, X...
SHEILA L. SCHROCK, X...
SCOTT G. SCHROEDER, X...
DONALD R. SCHUBACK, JR. X...
PAUL A. SCHUBERT, X...
JOHN F. SCHULTE, X...
BERNARD A. SCHWARTZE, X...
JOSEPH H. SCHWARZ, X...
JAMES A. SCHWINDT, X...
JAMES M. SCIFRES, X...
GEORGE D. SCISS, X...
DAVID A. SCOTT, X...
PAUL L. SCOTT, X...
ROBERT W. SCOTT, X...
REBECCA N. SEEGER, X...
WILLIAM D. SELLERS, X...
RUSSELL J. SEVERINO, JR. X...
JEFFERSON L. SEVERS, X...
LEON A. SHAFER, X...
JAMES D. SHAFFER, X...
ROBERT H. SHAMBLIN, X...
JOHN N. T. SHANAHAN, X...
KENNETH M. SHARPLESS, X...
DEBRA A. SHATTUCK, X...
RICHARD G. SHAUGHNESSY, X...
MARK D. SHEEDY, X...
JOHN J. SHELPMAN, JR, X...
WILLIAM L. SHELTON, JR, X...
MICHAEL M. SHEPARD, X...
SETH D. SHEPHERD, X...
ROBERT S. SHEROUSE, X...
JOHN R. SHROYER, X...
PAUL D. SIEVERT, X...
MICHAEL O. SILAS, X...
KEVIN J. SILVA, X...
ROBERT C. SILVA, X...
MICHAEL A. SILVER, X...
JOHN D. SILVIA, X...
DONALD E. SIMMONS, X...
THOMAS L. SIMPSON, X...
ERIC N. SINGLE, X...
KEITH D. SINGLETON, X...
ROBIN C. SITES, X...
LARRY C. SKOGEN, X...
RANDALL A. SKOV, X...
ALBERT L. SLY, X...
LEONARD C. SMALES, X...
DAVID R. SMITH, X...
GREGORY A. SMITH, X...
HULAND C. SMITH, X...
JAMES E. SMITH, X...
JEFFRY F. SMITH, X...
KENRIC SMITH, X...
KEVIN B. SMITH, X...
STEWART C. SMITH, X...
TIMOTHY J. SMITH, X...
HARRY L. SNODGRASS, X...
WILLIAM R. SNOW, X...
MARK E. SNYDER, X...
JOHN L. SOKOLSKY, X...
DAVID F. SOLOMON, X...
DONALD G. SOMERVILLE, X...
BAXTER L. SOSEBEE, X...
TERENCE J. SPANN, X...
DON W. SPARKS, X...
WILLIAM X. SPEIGHT, JR. X...
MARTIN J. SPITEK, X...
JEFFREY W. SPRAGGINS, X...
ANITA K. SPRINGER, X...
TIMOTHY M. SPRINGER, X...
DANA M. STABIN, X...
KEITH B. STACHOWSKI, X...
ROBERT J. STAIB, X...
ELLEN J. STALEY, X...
ROBERT M. STAMBAUGH, X...
EDWARD M. STANHOUSE, X...
MICHAEL W. STANSBURY, X...
WENDELL T. STAPLER, X...
CLARENCE B. STARK, II, X...
JOHN D. STAUFFER, X...
KERMIT L. STEARNS, II, X...
LARRY STEELE, X...
CAREY A. STEGALL, X...
JOSEPH V. STEPHANS, X...
ERIC J. STEPHEN, X...
WILLIAM D. STEPHENS, X...
GREGORY A. STEVENS, X...
ROBERT K. STITH, X...
GREG J. STOCK, X...
LOWELL J. STOCKMAN, X...
MICHAEL R. STOCKWELL, X...
RALPH O. STOFFLER, X...
RICHARD E. STONE, X...
KURT A. STONEROCK, X...
BRIAN W. STORCK, X...
MICHAEL S. STOUGH, X...
ROBERT A. STOWE, X...
ROBERT L. STRADFORD, X...
DAVID A. STRAND, X...
JOHN R. STRASBURGER, II, X...
SUSAN E. STREDNANSKY, X...
XAVIER L. STREETER, X...
PAUL C. STRICKLAND, X...
ANTHONY B. STRINES, X...
ELISABETH J. STRINES, X...
PATRICK A. STROMAN, X...
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CRAIG O. SUTTON, X...
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EDWIN C. SWEDBERG, X...
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CHRISTOPHER L. SWIDER, X...
TERRENCE C. SYKES, X...
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JOHN R. TAYLOR, JR, X...
KERRY W. TAYLOR, X...
TIMOTHY S. TAYLOR, X...
KURT A. TEMPEL, X...
JOSEPH MICHAEL TERRY, X...
DEAN THEODOSAKIS, X...
BOB J. THOMAS, X...
KENNETH L. THOMAS, X...
LEE E. THOMAS, X...
ANTHONY C. THOMPSON, X...
DONALD W. THOMPSON, X...
GEORGE L. THOMPSON, X...
JEFFERY G. THOMPSON, X...
JOHN F. THOMPSON, X...
DAVID W. THORSEN, X...
CARL D. THUNBERG, X...
TERRY D. TICHENOR, X...
ROBERT E. TILLEMA, X...
KELLY TIMMONS, X...
THOMAS L. TINSLEY, X...
STEVEN M. TIPPETS, X...
RICHARD C. TOLLINI, X...
THOMAS G. TOMARAS, X...
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ROBERT R. TOPP, X...
GEORGE TORRES, JR, X...
JUAN TORRES, JR, X...
JOSEPH A. TORSANI, III, X...
THOMAS J. TRASK, X...
KIM C. TRAVER, X...
RUSSELL W. TRAVIS, X...
TIMOTHY N. TRAVIS, X...
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DAVID P. TROTTIER, X...
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WILLIAM D. VALENTI, X...
PAUL A. VALENTIC, X...
BURTON L. VANDENBURG, X...
RICHARD S. VANDERBURGH, X...
DEBORAH S. VANDEVEN, X...
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RICHARD G. VAUGHT, X...
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GREGG K. VERSER, X...
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ERIC VINCENT, X...
STEPHEN W. E. VINCENT, X...
TIMOTHY D. VINOSKI, X...
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GLENN A. WADDELL, X...
MICHAEL F. WAGNER, X...
RONALD J. WAGNER, X...
STEVEN D. WAGNER, X...
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PAUL C. WALKER, X...
TRACEY A. WALKER, X...
ERNEST E. WALLACE, X...
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STEPHEN J. WALSH, X...
RONALD G. WALTERS, X...
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JOHN D. WEIDERT, X...
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JOHN E. WILLIAMS, X...
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MICHAEL P. WINSLOW, X...
DONALD L. WIRTH, X...
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