

No one in this body wants to make that connection because it is inconvenient. It is embarrassing. After all, we are politicians and politics and serving the people of our State is our business. I think to some extent, attendance at charitable activities, legitimate charitable activities, that would be subject to approval by the Ethics Committee and more or less reviewed by them as to their legitimacy, would be an appropriate measure of legitimacy.

Unfortunately, it appears that this particular proposal that has been structured is cast in concrete, and with the exception of the explanation the Senator from Alaska received a few moments ago, clearly charitable activities such as the one that I have discussed simply could not function under this narrow interpretation because it eliminates recreation activities.

As we wind down the debate and the time is about to expire, there is indeed a principle involved here, as we address the legitimacy of not only those who suggest that this compromise should be structured in the same way as the executive branch receives consideration for their extracurricular activities. Yet it does not recognize in the same breath that the executive office does not receive reimbursement or travel for appearance at political events. Yet we do. And that is the difference.

When we go to the legitimacy of charitable events, we say no, we cannot get reimbursement for travel and lodging, but we can get it for political events. Others say, well, just a minute, the Senator from Alaska does not understand the problem. We are talking about something other than political events now, so that should not be part of the discussion.

The Senator from Alaska, I think, would again remind all of my colleagues as to the source of these funds and the principle involved. If for some reason or another we find it unpalatable to accept funds from those who would fund charitable events, one wonders why we would be so eager to accept funds for travel to political events.

I encourage my colleagues to think on the merits of legitimate charitable activities which we all participate in, which will be substantially limited, in my opinion, under this very narrow interpretation. And I think that is indeed very unfortunate.

I have nothing further to say, Mr. President. I yield the floor. I yield back all time.

The PRESIDING OFFICER. The Senator from Alaska has yielded back his time. The time in opposition is 7 minutes.

Mr. LEVIN. Mr. President, I yield 2 minutes to the Senator from Wisconsin.

Mr. FEINGOLD. I thank the Senator from Michigan. I want to be sure that we remember why these provisions are in the bill. It has to do with the fact that if you had to pick one aspect of this whole issue of gifts that seem to

have brought more perception problems for the Senate than any other, it is the problem with the so-called charitable events.

This is not to say that they do not have any merit—some of them. But the portrayals, particularly on some of the national television shows, have shown Members of this body and of the other body participating in events that were obviously dominantly recreational, that had to do with golf or tennis or whatever it might be. It was pretty obvious by the end of any one of these segments that the event was an opportunity for a Member of Congress to have an awfully good time on the ticket of whatever the organization that was promoting the event or the charity, whatever it was.

Yes, this may have some negative impact in terms of what the Senator from Alaska is trying to talk about. I think in his case the fact that he is referring primarily to what he wants to do in his home State suggests to me it probably would not be a problem.

The problem would occur more in the more publicized events—ski events in Utah, the golfing events in Idaho—that have nothing to do with our own home State. These are the ones that have caused a very serious problem.

I believe it is very appropriate that this bill sets forth that in the case of an event that is a charitable event and is not specifically within the person's role as a representation of the Senate, then those cases—the travel and the lodging—are really too much.

It has been abused. There are Members—I am not thinking of a Member of this body, but I am thinking of a case of a Member of the other body—who made a practice of going every week to these so-called charitable golfing events. I remember the Member got a \$200 sweater at each event. The meals and everything went back to his district afterwards. It was a way of life. This is what we are trying to get at.

I think it has been reasonably crafted. I do think it addresses the concern of the Senator from Alaska, which obviously has to do more with his own home State. Whether or not he is going to be able to attract Members of this body to Alaska, given the fact that there is a problem with lodging and the travel—it may be difficult. I do not want to suggest it will not be, possibly, a problem. But I think the greater concern here is that we eliminate this overall practice. I think this is reasonably drafted to achieve that.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MURKOWSKI. Mr. President, if I could just make one comment to my friend from Wisconsin, it looks like the only way out, there, is to attract the millionaires of the Senate who might be able to come to Alaska and attend a charity event. If it passes in its current form, I will advise the Senator from Wisconsin of my success in attracting the millionaires that are in the Senate to come up. We will have to see.

On the other hand, I hope my amendment will be adopted based on the merits of my presentation. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN. No one else wants time on this side. I think, if all time has been yielded back by my friend from Alaska, then I will yield the remainder of our time.

The PRESIDING OFFICER. All time has been yielded back.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, on behalf of the majority leader, and after consultation with the minority leader, I ask unanimous consent that the cloture vote scheduled for Friday, with respect to foreign aid authorization, be vitiated.

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

Mr. LOTT. I further want to announce to the Members that at 10 a.m. on Monday, July 31, it will be the majority leader's intention to turn to the energy and water appropriations bill, and that no votes occur with respect to that bill before 6 p.m. on Monday.

I further ask unanimous consent that the cloture vote scheduled for Friday, with respect to the State Department reorganization, be postponed to occur following any stacked votes on Monday, which will not occur prior to the hour of 6 p.m.

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

Mr. LOTT. I yield the floor.

#### CONGRESSIONAL GIFT REFORM ACT OF 1995

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I believe other amendments are now in order for debate? I do not have a copy of the unanimous consent we are operating under.

Mr. LOTT. If the Senator will yield, I understand there are negotiations continuing on some of these amendments with the hope that maybe some agreement could be worked out and that we are prepared to go forward momentarily with the amendment concerning the limits in the bill. We will be ready to go with that in just a moment.

If the Senator would like to take up any other issue? If not, Mr. President, 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. LOTT. Mr. President, I ask unanimous consent that the pending Murkowski amendment be set aside so we may proceed to the next amendment.

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

AMENDMENT NO. 1875 TO AMENDMENT NO. 1872

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1875 to amendment No. 1872.

On page 1, strike lines 9 through 12, and on page 2, strike lines 1 through 4; and insert the following:

“(2) No Member, officer, or employee of the Senate, shall knowingly accept, directly or indirectly, any gifts in any calendar year aggregating more than \$100 or more from any person, entity, organization, or corporation unless, in limited and appropriate circumstances, a waiver is granted by the Select Committee on Ethics. The prohibitions of this paragraph do not apply to gifts with a value of less than \$50.”

The PRESIDING OFFICER. Who yields time?

The Senator from Mississippi controls 30 minutes.

Mr. LOTT. Mr. President, I have not spoken today on the efforts that have been underway to come up with a reasonable, practical, and agreeable package that we could have in this area of gift rule reform. I understand that there is a need to tighten up on these rules and to clarify others so Members will know exactly what they can and cannot do under our rules of the Senate. But I also think we have to be very careful that we do not do it in such a way that we make it impossible for us to live within the rules and do our job. That is why I have been very interested in how it is developed.

I do think a lot of credit goes to the managers of this legislation. Senator McConnell, from Kentucky, has really moved us toward serious agreement on lobby reform that is, I think, long overdue. It was needed. We got an agreement on that earlier this week. And by his continued efforts, I think we are getting close to gift reform that will change the rule of the Senate in such a way that we will all be better off.

His work with Senator Levin has produced a package with a lot more agreement than I ever thought we would be able to come to tonight. But they have provided real leadership. Senator McCain has been involved, Senator Wellstone, Senator Feingold, many others, Senator Lieberman, Senator Breaux, Senator Ford—there is a long list of people who have been involved and I think they all deserve a lot of credit.

The substitute we are working from is a major change from what we started out with, as the original Levin-Cohen bill. First of all, it is not a statute anymore. It will be a rule. And I think that is an important change.

There have been a lot of questions raised, a lot of concerns, about what we

can and cannot do. What is a personal friendship? What is a widely attended event? What do you do about awards, mementos? So, many of those things have been clarified. I think we are working from a much better product than where we started.

Efforts are still underway to clarify what is the situation with regard to our spouses. I think we need to be very careful about that.

I want to also emphasize this, though. And others have said it. Most Senators do their job. They do not get a lot of gifts or expensive awards. It just does not happen. It has been implied here we can go to dinner every night. First of all, how? We are here almost every night. We are a nocturnal institution. We do not start work until the Sun goes down. I take my hat off to any Senator who can run downtown to some expensive, fancy dinner. I do not see how they do it and make all the votes. And with the average of voting of the U.S. Senators being 97 percent or better, they are not doing both of those.

So any impression that has been given that there is a cesspool of activity going on here, it is just not so. Yes, when the mayor of Buzzards Roost comes to my office, she gives me a cap from Buzzards Roost. I put it on my stand. Glad to have it. We do go to lunches with our constituents. We do have relationships with friends.

If we have to give all that up, then we might as well just go ahead and admit that we are not living a real human life around here. So we do not want to do that and I think, with the changes that have been made, the changes we are still working on, we can accomplish that. Every Senator on both sides of the aisle agrees that a reform of the Senate rules concerning gifts is overdue and is necessary. And I think that is why we are going to get it accomplished here. But sometimes in life you can agree on the general purpose but some of the specifics can cause a problem. That is the amendment that I am addressing here tonight. I think that it is very important that we do not put ourselves in the position where we cannot basically function without violating the rules.

So this amendment that I sent to the desk will change the limit in the base bill from the \$20, with that being aggregated up to no more than \$50, and replace that with a Senator being able to accept a meal or a gift under \$50 but with an aggregation of no more than \$100. That aggregation is very, very important because that means that you can go to a lunch with a person, a lobbyist, or a nonlobbyist if it costs less than \$50, and you can do it a couple of times in a year, but it cannot exceed \$100. So that addresses the problem that you go to a lunch or a dinner every night or every day like somebody implied. You are not breaking the rules. I think that is a significant change from our original bill that was offered on this side that only had the

\$100 figure without an aggregate of what that could add up to.

So we have made changes. But here is my problem. This also now includes meals. In the past, we did not have the meals included under those limits. Now even the meals would be affected by this \$20 and \$50. Most of us do not go to big, fancy lunches. But there are not even lunches that cost less than \$20, and no dinners.

So the rule that is in the substitute, \$20 and \$50, would guarantee that you could not go to a dinner even with some constituents. As I understand the language in the bill, if the Chamber of Commerce in my hometown comes to Washington, and a group of eight of them want to take my wife, Tricia, and me to dinner, we can go. But if my part of the dinner is \$30, then the group that invited me could not pay for that. I would have to pay for it.

And then there also have been questions about how does that affect your spouse? Is she treated separately or is that under the \$20? In other words, what if they are \$19 and \$19. You get the point. It gets to be ridiculous.

I am not talking about, in this instance, some hifalutin lobbyist in Washington taking me out to dinner. I am talking about Jim Esterbrook from Esterbrook Ford from Pascagoula, MS along with a few other Chamber of Commerce or union members. I am a son of a pipefitter union member. The boilermakers come up here every year. I have never been to dinner with them. In fact, I would be happy if I would never have to go to another dinner in this city. I would rather have pork chops and turnip greens in Pascagoula than any dinner I have ever been to up here.

All I am advocating is a rule of reason—\$50—who here could be bought for a \$50 dinner? Not anybody. That is ridiculous.

Can we at least have a little reason? In other words, what we are saying is, under the \$20 and \$50, OK. You can go to a \$19 lunch but you cannot go to a \$31 dinner. Come now.

It will be said, well, you know, it applies to the Federal Government. It has applied to them for several years. They seem to have done all right with that. Well, that is a good point. But I mean we are not in the same role as they are. We do have a very active relationship with the constituents. People are interested in legislation. I think we ought to be able to go and have a hot dog or a cup of coffee without having to keep a running tab.

Now, to their credit, that has been changed in the substitute as I understand it now. Earlier there had even been the requirement that if you had a \$7 lunch with a hot dog and potato chips and a Coke, you would have to keep a piece of paper, and that would be a running tab to make sure that did not exceed in aggregate in a year \$50. But that shows you on its face how ridiculous some of this stuff has been.

Mr. LEVIN. Will the Senator yield on that point? That has been changed.

Mr. LOTT. That has been changed. I admit. It has been changed. That is the type of thing that we have been able to make improvements on. That is why we are here tonight in the role we are in. I thought 24 hours ago we would be here with two stark alternatives. That is not where we are. A lot of progress has been made. We have worked out things like this.

Senator LEVIN, Senator FEINGOLD, and Senator WELLSTONE have been willing to, as we talked about these things, make some changes. And Senator MCCAIN certainly has been very active in that.

Mr. STEVENS. Will the Senator yield?

Mr. LOTT. I am glad to yield to the Senator from Alaska.

Mr. STEVENS. I am worried about the dollar figure here also. As the chairman of the Rules Committee, I had the duty to close the Senate dining room. Most Members do not know why we closed it. But we closed it because we discovered that we were charging roughly \$8.50 for a dinner that cost more than \$20. This is in a room that is owned by the Federal Government, with heat, light and all the services provided. I am just talking about food service cost and the food itself was more than \$20. But no one would pay more than \$20 for it. So we closed that dining room.

I would be happy to have the sponsors put in this RECORD where we can get—when the chamber of commerce comes into town from Anchorage or Pascagoula, wherever you want, they want to take us to dinner with their wives. And they would like to have a tablecloth on the table and maybe some flowers and just a nice dinner in a quiet place. Tell me where you can get it for \$20 a person here in town.

I think they ought to tell us where you can do that. I do not think we ought to have to go to places where families do not go but where people take their wives when we have our constituents in town. That \$20 figure is really a very low figure. I do not think it is realistic in this town. This town now is more expensive than my hometown of Anchorage. At one time it was the highest priced town in the country. This town, Washington, is much more expensive than any town I know of in the country today for dinners.

But, again, I just think they ought to do something about it. Or maybe they ought to talk to their wives about it. It would be very interesting. Because I agree with the Senator from Mississippi. It just means that I do not have to go out as much any more if we put a \$20 figure in there. I am sure the wives would love that. I really think the \$20 figure needs a lot of thinking.

But I really am asking the Senator if he is ready for me to propose my amendment. I am ready to propose an amendment if he would like to have me do that. But I join him in really raising a serious question about their \$20 figure.

Mr. LOTT. I thank the Senator from Alaska. I think we could all come up with a lot of stories. I think simply—without getting all riled up about the \$20 figure—it is not a reasonable figure. It would be so delicate, so impossible and so embarrassing how you would handle that.

If we are going to go with that figure, we ought to go to zero, absolute zero. Some Senators already do that. And that way you would understand no Coke, no coffee, no potato chips, no nothing. At least I will not have a recordkeeping nightmare. I will not have to be so nervous. Well, is this \$19.50 or is this \$21?

I think the little difference of \$50 with a total for the year of not to exceed \$100 from an individual is much more reasonable, and it would be a lot easier for the Members to comply with. I cannot believe anybody in America would question our integrity with those kinds of limits.

In view of the hour and the fact that there are others who want to speak on this, and we may want to rise to debate it a little bit after others speak, and the fact that Senator STEVENS is waiting now to offer an amendment which perhaps we can get an agreement on, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan controls the time.

Mr. LOTT. I would yield—how many minutes to the Senator from Arizona?

Mr. MCCAIN. Seven minutes.

Mr. LOTT. Seven minutes to the Senator from Arizona.

Mr. STEVENS. Mr. President, if the Senator will yield to me, I would be happy to yield time off this amendment if the Senator would like it because I am not going to use much time.

Mr. MCCAIN. Is the Senator suggesting that the pending amendment be set aside so the Senator could introduce the Senator's amendment which has been agreed to on both sides?

Mr. STEVENS. Yes. But the Senator can use some of the time off it.

Mr. MCCAIN. I thank the Senator.

Did the Senator want to do it at this time?

Mr. STEVENS. Whenever.

Mr. LOTT. Mr. President, if the Senator from Arizona, who has the time, would be agreeable to that, we could allow the Senator from Alaska to set aside this amendment for now and dispose of it, and then come back to the remarks of the Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent that the pending amendment be set aside in order that the Senator from Alaska may present his amendment, and following that we return to the pending Lott amendment and I may be granted my time at that time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The pending amendment is now set aside.

AMENDMENT NO. 1876 TO AMENDMENT NO. 1872

Mr. STEVENS. Mr. President, I send an amendment to the desk. This is the amendment known as the spouse amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 1876 to amendment No. 1872:

On page 2 of the amendment, strike lines 12 through 20 and insert in lieu thereof the following:

“(2)(A) A gift to a family member of a Member, officer, or employee, or a gift to any other individual based on that individual's relationship with the Member, officer, or employee, shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.”

Mr. STEVENS. Mr. President, first let me apologize to my friend from Mississippi. I was off the floor and did not realize he had called up his amendment. I thought he was speaking in general about it when I came in, and I really did not intend to be so abrupt with my good friend.

Mr. President, as former chairman of the Ethics Committee, I have had many experiences about the reference in the ethics law pertaining to spouses. Spouses are not subject to the jurisdiction of the Senate. I applaud the way that the Senator from Arizona has prepared this amendment in several instances to avoid the implication in it of spouses, that merely because one is married to a Senator she or he is subject to the jurisdiction of the Senate. This is an attempt now to further continue what the Senator from Arizona has started, which I said I think is a very good trend.

What it really says is that a gift to any family member or person that has an individual relationship with a Member, officer, or employee shall be considered a gift to the Member if that Member has knowledge of it and has acquiesced in it and there is reason to believe it was given because of the Member's office.

I am hopeful this will remove some of the bad feelings that spouses of Members have had about the existing law and previous interpretations of the law pertaining to spouses and dependents. It does carry out the intent of what the Senator from Arizona had intended to do, and I understand it will be accepted.

I wish to say just briefly, our spouses, a lot of people do not realize the amount of time they really put in in terms of helping us with our constituents and with our problems. There was an assumption in the original ethics law—not this draft of the amendment of the Senator from Arizona, but there was an assumption there that the Senate could exert jurisdiction over a spouse or dependent who lived with a

Senator. That has led to a lot of conversations for this Senator, both in the time I was chairman of the Ethics Committee and since then, as to the propriety of that assumption.

I am pleased to see it totally eliminated now. If this amendment is adopted, I do not think there is a presumption in this bill of jurisdiction over a spouse or any family member. The jurisdiction is over the Member because of acquiescence and knowledge of a gift to any person that has been associated, or is associated with a Member and with the knowledge that that gift was given to that person because of the Member's official position. I think that is a correct way for this bill to address the problem. I am pleased to hear it will be accepted. I thank all concerned for giving us that consideration.

To me, to get back just for a minute to the overall problem, if I had my druthers, as I would have said years ago, I would rather see a full disclosure bill, a bill that requires us to disclose our activities with any person with regard to our official capacity and leave it there. I think once we start writing these detailed laws which try to convince people we are ethical; we have passed a new law, we lose a great deal of meaning for the Senate. We witnessed the respect that is held for the distinguished Member from West Virginia today. I think that those of us who are newcomers compared to Senator BYRD should realize that the respect that the Senate had in the days of the Russells and the Dirksens and those who have come before us were days when there was no ethics law at all. The respect was held for the body itself because the Members assured that that respect was maintained. It did not take a law. It did not take an ethics law. Mike Mansfield was not the majority leader that he was because of an ethics law. There was none at the time. It came in later. And when you really look at the great titans who have served on this floor—and I think there have been many—they were not guided by an ethics law. They were guided by their sense of right and wrong and by the mission that they had as Members of the Senate.

I would that we could return to that day, when we trusted the public to trust us.

The PRESIDING OFFICER. Is there further debate on this amendment?

Mr. LEVIN. I wonder if the Senator from Arizona will yield briefly for a comment unless he is going to comment on the amendment of the Senator from Alaska.

Mr. MCCAIN. I have a brief comment if I could.

Mr. LEVIN. I will, of course, wait until after he is done.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I wish to express my appreciation to the Senator from Alaska for this amendment. Perhaps it would be more appropriate if I expressed my appreciation to his spouse,

who obviously takes a keen interest in these issues. She hails from the State of Arizona, which I think accounts for most of the dynamic intelligence which she displays. I do understand her point, and I understand the point of the Senator from Alaska on this issue. We should not designate people simply by virtue of marriage. There should be a broader interpretation of this issue, and I appreciate not only the Senator from Alaska but his wonderful spouse as well.

I have no further comment.

Mr. LEVIN. I wonder if the Senator will yield to me 2 minutes without losing his right to the floor.

Mr. MCCAIN. I yield to the Senator.

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

Mr. LEVIN. I thank the Chair. Let me thank the Senator from Alaska. He has been in the forefront in fighting for the independence and the rights of our spouses not to be treated as though somehow or other they are covered by the rules of the Senate when they are not Members of the Senate. He has been very sensitive to that issue. As he pointed out, the intention of both the underlying bill and the substitute before us is not to include spouses in these rules because they are not Members of the Senate. He has identified some language which inadvertently might suggest to the contrary, and he has corrected that. And I think we are all in his debt, and I know our spouses are all very much in his debt. We thank him for that.

Mr. STEVENS. Mr. President, as the Senator from Arizona said, I will know when I get home whether I am right or wrong.

As Members have said to me quite often, I am one of the fortunate Senators in that I have married twice. Both of my spouses have been very committed to this institution and particularly paid a great deal of attention to the way that spouses and family members are treated in view of the obvious problem of being married to a Member of the Senate, but I am grateful for the comments he has made. We have made a small, but important, change to this bill with this amendment.

It really is in my opinion no change. It is just a proper definition of who we are addressing with regard to a gift that should be treated as being made because of the office of the U.S. Senator. And I think this will be sufficient. So I again thank the Senator from Arizona and the Senator from Michigan for accepting the amendment. I am prepared to yield back the balance of my time unless someone wants to use it.

The PRESIDING OFFICER. Is there further debate on this amendment? Is all time yielded back?

Mr. STEVENS. I yield back the time.

Mr. LEVIN. I yield back any time I might have under my control.

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

The amendment (No. 1876) was agreed to.

Mr. MCCAIN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1875

The PRESIDING OFFICER. Under the previous order the Senate will now return to the amendment offered by the Senator from Mississippi.

The Senator from Arizona is recognized for 7 minutes.

Mr. MCCAIN. Mr. President, I rise in opposition to the amendment of the Senator from Mississippi. We are in a very difficult area, Mr. President, because we are really looking in this entire bill at perception. It is all based on the perception of the American public as to what is acceptable in the form of what kind of favors, funds, gifts, gratuities, et cetera, that a Member of Congress should receive.

Mr. President, after long and arduous and labored deliberation, we arrived at the number that is in the substitute. It was not an easy decision to make. There were many who disagreed with it. There were some who wanted to go to zero. There were some who wanted to go much higher. And yet it was the consensus of those involved on both sides of the aisle that a \$20 gift limit with a \$50 aggregate was appropriate.

How did we arrive at that number, Mr. President? We looked at it as what most Americans might believe is a reasonable sum of money.

I have heard this argument about going back to zero, going to zero and not accepting anything. That certainly is a method or course that some might pursue. I think it would be a bit uncomfortable not to be able to accept a hat or some small memento.

But let me try to explain what \$50—according to this amendment, prohibitions of this paragraph did not apply to gifts with a value less than \$50. At \$5 an hour \$50 is a 10-hour day. And every single day a Member of Congress, Member of the Senate, could receive \$50, and if that came out to 20 work days in a month, that is \$1,000. Now, perhaps here in Washington, DC, in this very rarefied environment and atmosphere and expensive hotels and expensive restaurants and high cost of living \$1,000 in 20 days or \$50 a day is not a lot of money.

Mr. President, Arizona is not the poorest State in America. It is not the richest. But I will tell you what, if I talked to the men or women on the street in Arizona and said, "Do you think I ought to be able to get \$50 a day, or \$49.95 a day off the cuff every day?" I do not think they would agree with that, Mr. President. They would say, "Why?" They would say, "Why do I get \$50 a day in addition to the \$139,000 a year that I make?"

Now, I do not believe, nor does anyone—and we have accepted here in this body that \$5 and \$50 and \$500 and \$5,000

and \$5 million does not corrupt anyone. What we arrived at in the \$20 individual and \$50 aggregate was what we thought that the American people would believe is a reasonable amount of money, a reasonable gift, a reasonable kind of a situation which given the nature of our work would be understandable. But very frankly, I would have difficulty going back to Arizona and saying, "By the way, I can accept gifts to the tune of \$50 a day every single day of the week, day in, day out, month in, month out, and none of it aggregates."

I have to say to my friend from Mississippi, the aggregation aspect of this of \$100 is a little bit disingenuous. A little bit disingenuous, because anything just below \$50 does not have to be aggregated. So we are really talking between \$50 and \$100.

I understand the argument of the Senator from Mississippi. I understand the argument of those who would like to see this higher. I understand the argument of those who would like to see it even much higher and have no limit whatsoever on the grounds that you cannot put a price tag on the vote of a Member of Congress. But I do believe that what we are trying to do here is convince the American people that we live basically on the same plane that they do. And I do not think they would think that the \$50 a day, \$49.95 a day we could receive in gratuities, gifts, other favors is something that they would ever have the ability to engage in. I am afraid that if we did that, it would be harmful rather than helpful in achieving the goal that this legislation contemplates.

Mr. President, I yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I yield 10 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 10 minutes.

Mr. FEINGOLD. Mr. President, the Members of the Senate, this is not a minor adjustment. The Lott amendment in my view is the most important amendment we will be dealing with here. As the Senator from Arizona just pointed out, do not let anyone kid you about this one. It is not just moving up the executive standard from \$50 in aggregate a year to \$100 a year, it allows a person to take up to \$50 a day from the same person at least every day of the year, I would say several times every day in the year, all year. How do you quantify that? It means one lobbyist or other individual could give every Member of the Senate \$18,250 worth of stuff. And it would not even count. It would not even count toward the aggregation of the total of \$100. This is a very major change from what I think is an excellent compromise.

I regret having to even say it, because the Senator from Mississippi has

negotiated in good faith. But this amendment would be a major mistake. The Senator from Mississippi calls for a rule of reason. I think his amendment is just the opposite.

First of all, this is very different from the rule that the executive operates under very successfully. How different is a Cabinet Member in terms of the requests and entreaties they get from a Member of the Senate? I do not think that they are that different in that regard. And they live by this rule. And if one tries to argue that it is different for a legislative body, we in the Wisconsin legislature have lived with an even tighter rule than this for the last 20 years, Republicans and Democrats alike.

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

Mr. FEINGOLD. Yes.

Mr. MCCAIN. The executive branch, the entire executive branch rules are that it is \$20 with an aggregate of \$50?

Mr. FEINGOLD. I understand. And they count every penny. There is no de minimis. The de minimis notion is usually under \$1 or \$2. This proposal suggests up to \$50 is de minimis. You should not even count it. So this does present a very different situation.

Mr. WELLSTONE. Will the Senator yield for a clarification?

Mr. FEINGOLD. I yield.

Mr. WELLSTONE. The way this amendment reads, the Senator from Arizona may be interested in this, the last sentence reads "The prohibitions of the paragraph do not apply to gifts with a value of less than \$50."

Mr. FEINGOLD. That it is. Let me say, for example, if a lobbyist wanted to send one Senator a dozen roses every day all year, I think it would be legal. Certainly anything up to \$50 in terms of roses. Every day, all year.

Let me give just a different kind of example. The Senator from Mississippi says it gets ridiculous to have these kinds of rules at this level. Well, I will tell you what is ridiculous. What is ridiculous is what would be allowed under this amendment. I will use an example from my office of one staff member's invitations that he has received if the same entity gave these. This is how his week would look. I think the average citizen would find this ridiculous.

On Monday, he could have accepted an invitation that was given on July 6 to take part in an event that has captured the imagination of the Washington region's tennis enthusiasts. This year's Washington Tennis Classic includes Andre Agassi and Stefan Edberg. A ticket to a tennis event, probably under 50 bucks.

Tuesday, from the same entity, he can attend a music event, Hootie and the Blowfish, a terrific group of artists recording on Atlantic RECORDS, at the Merriweather Post Pavilion. That would be allowed from the same entity.

Then on Wednesday, my staff member could go to the special screening of "Don Juan DeMarco" which includes a cocktail reception and dinner at 7 and

then seeing the movie before everyone else in the country got to see it. That was April 11, 1995.

If he is not tired at this point of all the entertainment, the same lobbyist or individual on Thursday could then treat him to the Cubs versus the Phillies, including a special train departing from Union Station for Philadelphia and presumably back.

And then on Friday, winding down for the weekend, the same lobbyist then invites the staff member or the Senator to the "Russian Roulette Vodka Tasting" to kick off the weekend.

Mr. President, this is what the Lott amendment will allow, and I believe in almost every one of these instances, it could be up to \$50 and not a dime or a shot of the vodka will count toward the \$100 aggregate. Even though this is not quite as bad, certainly, as the original McConnell substitute, it still provides an enormous loophole that will preserve, in large part, this lifestyle we are trying to eliminate. I suggest the body soundly—soundly—reject this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE addressed the Chair.

Mr. LEVIN. I will be happy to yield 5 minutes to the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I say to my good friend from Michigan, I do not know that I need that much time, because I feel, like the Senator from Wisconsin, covered the ground in a very thorough way.

Initially, we had in the original bill, the McConnell-Dole bill—what was the aggregate on the original version?

Mr. FEINGOLD. The amount was under \$100. There was no aggregate under the original version.

Mr. WELLSTONE. Under \$100, no aggregate.

Mr. FEINGOLD. No, that did not have to be counted.

Mr. WELLSTONE. Now we have this amendment which is just barely an improvement. My colleague from Wisconsin said the original proposal was under \$100, no aggregate, all you can eat. This reads, "The prohibitions of this paragraph do not apply to gifts with value of less than \$50."

Mr. President, Senators should be clear about the vote. What this is saying is that you would like for a lobbyist to be able to on any number of occasions—

Mr. MCCONNELL. Will the Senator yield for an observation?

Mr. WELLSTONE. I will be pleased to.

Mr. MCCONNELL. Let me say, I listened carefully to the suggestion from both the Senator from Wisconsin and the Senator from Minnesota as to what could arguably be under the amendment offered by the Senator from Mississippi with regard to \$50-\$100. Yes, I agree that is possible, but anyone who did that would be before the Ethics Committee and be in a lot of trouble.

The Ethics Committee has frequently acted against Senators who have engaged in improper conduct, even when it did not violate a specific provision of the rules of the Senate Committee on Ethics or, for that matter, the rules of the Senate.

So we do not fail to go forward if there is clear and obvious misconduct. I will concede to my friends from Wisconsin and Minnesota—

Mr. WELLSTONE. I was pleased to yield for a question. I think the Senator's comments are helpful. I wonder if I could get some time on the other side. We have little time left.

Mr. MCCONNELL. Since I was making a statement and not asking a question, I will let the Senator finish.

Mr. WELLSTONE. I think the Senator's comments are important. I do not want to cut him off, but I want to reserve what time I have left.

My point is really simple. I just think that this may be the most important vote of all because, again, we ought to just let go of this. And for people in Minnesota, it is just not credible to say, "We passed important reform on the taking of gifts." "What was it?" "Well, we could take a gift on many occasions from a lobbyist as long as it was under \$50 and it would never apply to any limit."

People will just laugh at that. That is not reform. That is my first point.

My second point, Mr. President, which may or may not move colleagues, but I would like to talk about the flip side of the coin. It does seem to me, Mr. President, that for a lot of people in Minnesota, a lot of hard-pressed people, we cut the low-income energy assistance in the House of Representatives. They eliminated it. There are a lot of wage earners, there are a lot of senior citizens, there are a lot of students, there are a lot of farmers, there are a lot of neighborhood people in the cities, there are a lot of regular people who cannot afford to take us out for \$50. Where do they fit into this equation? Maybe they have a shot at taking us out for \$20, so that we go out to dinner with them and not just with lobbyists. Let us have a little equality here, and that is the second part of my argument.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 1 minute left.

Mr. WELLSTONE. I yield the rest of my time.

The PRESIDING OFFICER. Who yields time? The Senator from Michigan has 13 minutes and 54 seconds; the Senator from Mississippi has 16 minutes and 10 seconds.

Mr. LOTT. Mr. President, how much time does the Senator need?

Mr. MCCONNELL. Five minutes.

Mr. LOTT. I yield 5 minutes, and more, if he needs it, to the Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I just want to make clear that any Member of the Senate who chose to take

multiple gifts under \$50, the hypothetical that my friends from Wisconsin and Minnesota could very legitimately claim is possible under a plain reading of the Lott amendment, would necessarily be in serious trouble before the Ethics Committee.

There is no question that under section 2(A)(1) of the rules of the Select Committee on Ethics that that would be considered improper conduct. Under the Senate Code of Conduct, subsection (A), I think it would clearly constitute misconduct.

I just want to assure my friend, reasonable people can differ about the propriety of this amendment, but I did not want it left rebutted that one could engage in the kind of conduct that a plain reading of the Lott amendment might seem to permit when, in fact, it would be a clear violation of the kind of standards that we all know apply in the Senate.

I strongly recommend, as chairman of the committee, that whether the limit is put at \$20 or whether it is put at \$50, below which there is no aggregation, anybody who engages in that kind of blatant effort to circumvent the rule is going to have a very, very serious case before the Ethics Committee.

I suggest they get themselves a good lawyer because the chances are they are likely to get censured.

I thank the Chair very much. I thank my friend from Minnesota. I think it is important that we clear this up, that one could engage in this kind of conduct with impunity and expect not to be in deep, deep trouble.

Mr. LOTT. Absolutely, and if the Senator will yield, I appreciate him speaking up as chairman of the Ethics Committee in pointing this out. Also, I think it would be important that we note in the underlying bill that we are working on now, the substitute, a lot of discussion went into the fact that good faith is an important part of this. In fact, it talks about "and in good faith believes to have a value of less than"; "no formal recordkeeping is required, but a Member, officer, employee shall make a good-faith effort to comply with this paragraph."

I think that language is very basic to what we are trying to do. If you really want to slight these rules, you probably can. We all ought to act in good faith. I know the Senate will do that. If we do some of the things outlined by some of the others, Senators will certainly have to answer to the Senate Ethics Committee.

I thank the Senator from Kentucky for his comments.

The PRESIDING OFFICER. Who yields time?

Mr. LOTT. Mr. President, I ask unanimous consent that the Senator from Louisiana, Senator BREAUX, be added as an original cosponsor of my amendment.

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

Mr. LEVIN. Mr. President, I yield 1 minute to the Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I would like to quickly respond to the statement of the Senator from Kentucky that the Ethics Committee certainly would take action against somebody who took a prime rib and a martini every day from the same individual. I do not understand that. This rule would simply say that that is fine. This rule would say that it does not come as a gift under the Senate rules if you took that for under \$50 a day.

I cannot believe that there would be a very strong case before the Ethics Committee if that Senator were able to say: You voted and passed a rule that explicitly permits this. It is very unlikely that I or any member of the public is going to believe that that is sufficient. It is going to be legal under the Senate rules to have a very nice dinner, or at least a pretty nice dinner, and very nice lunch every single day of the year from the same lobbyist—actually, several times a day. This is completely unacceptable, in terms of what we can call reform. It is not sufficient to say the Ethics Committee is going to be able to slam the hammer down when all the Senator has to do is say the Senate expressly permitted it under this rule.

Mr. LEVIN. Mr. President, I yield myself 4 minutes.

First, let me comment on the point just made by the Senator from Wisconsin. I also do not understand how it can be argued in this amendment offered by my friend from Mississippi that gifts under \$50 might somehow or other be limited, even though the amendment says there is no limit.

The amendment of the Senator from Mississippi says, "The prohibitions of this paragraph do not apply to gifts with a value of less than \$50." We talk about putting Members of the Senate in jeopardy with vague language. I do not know how it can then be argued by supporters of the amendment that, yes, maybe they do. Maybe the prohibitions of this paragraph do apply to gifts if given repeatedly in multiples, day after day. The language is pretty clear. You do not aggregate gifts. The prohibitions do not apply to gifts with a value of less than \$50.

It seems to me that that is one of the fundamental flaws of this particular amendment—that the gifts are not aggregated, and that means you can have a gift each day of under \$50 from the same source. And according to the language, the prohibitions of this paragraph do not apply.

Second, it seems to me we have a precedent for this \$20 rule. That is the executive branch. And, by the way, the executive branch also aggregates gifts of under \$20, as does the McCain substitute.

So we have a precedent in two ways. The executive branch rule reads as follows: "An employee may accept unsolicited gifts having an aggregate market value of \$20 or less per occasion"—That is the \$20 rule—"provided that



the aggregate market value of individual gifts received from any one person under the authority of this paragraph shall not exceed \$50 in a calendar year." That is the \$50 aggregate rule. So in the executive branch rules, which they have lived with successfully, we have precedent for both parts of this rule in the McCain substitute, both a \$20 limit and the \$50 aggregate.

Now, what we also do in the substitute is something very important. We avoid the recordkeeping. One of the problems with any aggregate is what about recordkeeping. Unless you say it is not necessary, you can run into a problem with recordkeeping because it simply is a cumbersome requirement if you have to keep records. So in the substitute it says, "No formal recordkeeping is required by this paragraph, but a Member, officer, employee, shall make a good-faith effort to comply with the paragraph." We leave it up to the good faith of the Member to comply with the \$50 aggregate rule.

Mr. President, this is a very significant change in the substitute. If this amendment passes, we are going to be pretty close to business as usual, because a \$50 rule allows for the lunches and for the suppers, and if do you not aggregate gifts under \$50, you have the situation where basically the gifts under \$50 are unlimited. In both respects, it is much too close to business as usual.

Now, is it a change from \$100? Yes, it is. I am the first to concede that. But does it come close to where we should be as an institution? I am afraid not. Therefore, I do hope that we will defeat this amendment.

Mr. President, I yield the floor.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, we are ready for another unanimous-consent agreement that is very important. I would like to do that at this point, and then Senator MCCONNELL and Senator MCCAIN may have some comments.

Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m., and at 9 a.m., there be 10 minutes for debate, to be equally divided on the Murkowski amendment, and the Senate proceed to vote on or in relation to the Murkowski amendment No. 1874.

I further ask that following the Murkowski vote, there be 10 minutes for debate, to be equally divided, to be followed by a vote on or in relation to the Lott amendment regarding limits, and that following the conclusion of the vote on the Lott-Breaux limits amendment, Senator Byrd be recognized to offer his amendment, on which there will be 45 minutes, to be divided, with 40 minutes under the control of the Senator from West Virginia, Senator Byrd, and 5 minutes under the control of Senator MCCONNELL, with a vote to occur on the Byrd amendment following the conclusion of the debate.

I further ask that following the disposition of the Byrd amendment, Sen-

ator Rockefeller be recognized to offer his amendment, and, if offered, limited to 10 minutes, to be equally divided in the usual form; following that debate, the Senate proceed to vote on or in relation to the Rockefeller amendment.

I further ask that following the disposition of the Rockefeller amendment, Senator WELLSTONE be recognized to offer his amendment, on which there would be 1 hour of debate, to be equally divided, to be followed by a vote on or in relation to the Wellstone amendment.

I further ask that following the disposition of the Wellstone amendment, Senator DOLE be recognized to offer his amendment, on which there will be 5 minutes under the control of Senator DOLE and 30 minutes under the control of Senator LEVIN, to be followed by a vote on or in relation to the Dole amendment.

I further ask that following the disposition of the Dole amendment, the Senate proceed to the closing debate, to be followed by third reading and final passage, as provided in the previous consent agreement.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I yield 5 minutes to Senator MCCONNELL.

Mr. MCCONNELL. Mr. President, I probably will not take 5 minutes. Again, at risk of being redundant, I do not want to leave anybody in the Senate, or out in the country, who cares about this issue with the impression that one could accept repetitious meals or gifts of any sort, day after day after day, and not be in serious trouble.

In fact, Mr. President, it is interesting to note that some of the most famous ethics cases in recent years have not been a violation of Senate rules. The current case before us that everyone is quite familiar with—certainly, I am—with regard to the Senator from Oregon, some of the charges relate to allegations of sexual misconduct. In fact, those are not technically a violation of Senate rules. But I think we would all agree it is a very serious case. The Keating Five case involved largely no violations of Senate rules. In fact, the Senate adopted a new rule after the Keating case, rule 43.

So regardless of how people may feel about whether the limit should be set at \$20 and \$50, or \$50 and \$100, I want to assure the Senate and the public, as chairman of the Ethics Committee, that anybody who took repetitious gifts carefully crafted to circumvent the spirit of this limit, whether it is set at \$20 or \$50, is in a heck of a lot of trouble. And a candidate for censure. Certainly, the argument can be made that it is technically possible. But, as a practical matter, anybody who did that would be in very serious trouble and would have obviously violated the standards that we all accept as appropriate as behavior of Senators.

I just wanted to make certain that everybody had a clear understanding

that nobody—certainly not Senator LOTT or Senator BREAUX—is suggesting that this is the kind of thing that would be tolerated by the adoption of the \$50 to \$100 option.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN. Mr. President, I am happy to yield the remainder of my time or any portion thereof that the Senator from Arizona needs.

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. MCCAIN. Mr. President, I do not intend to take more than 2 or 3 minutes here.

Perhaps the Senator from Kentucky is correct in that if someone, day after day, week after week, took \$50 or \$49.95 from the same person, that would be viewed as conduct unbecoming to a Member of the U.S. Senate.

Now we will talk about reality, Mr. President. The reality now is, day in day out, week after week, month after month, people do take from different sources—from different sources—significant amounts, in favors, meals, et cetera. It goes on all the time. We know it.

No, I do not believe that someone would take \$50 a day from the same person. But I sure as heck do believe that someone would take \$49.95 from a whole lot of different people.

Mr. President, just look at the gifts that come into our office on a daily basis. Look at it at Christmas time. Federal Express finds the Capitol to be the busiest place for them to go. There are baskets and all kinds of things that come in.

What is wrong with that? Nothing, except that we live differently from the rest of the American people. And the American people want us to live like they do. I do not know any average citizen in the State of Arizona who gets gratuities or meals, or whatever it is, to the tune of approaching \$50 a day. I do not know of any. Not even business executives. No one, except we here in Congress.

Mr. President, the American people want us to live like they do. Perhaps, as Senator STEVENS said, in the grand days of the U.S. Senate, when I was not here and there were not problems and people lived a certain way, that was a different era.

It was articulated again over in the 1994 election. Turn on your talk radio anywhere in America. They believe that the Congress lives differently than they do, that we do not understand their everyday problems and issues and challenges because we live differently. They want us to live like them.

Yes, as the Senator from Mississippi said, we could go to zero, I guess. That may be a move that would be made if this one is defeated. I do not think that is appropriate. I think that \$20 with an aggregate of \$50 is appropriate.

I think most Americans would think that was appropriate. I do not believe, I just do not believe, that \$50 a day

unending, from different sources, is what the American people think they could ever attain, and they do not think that we should live in that fashion.

This is, as the Senator from Wisconsin, the Senator from Minnesota, and the Senator from Michigan said, this is a very, very important amendment, because if we do pass this amendment, then it is fundamentally business as usual.

I do not think that this whole exercise was about business as usual. I think that the 1994 election was about change. I think this is one of the changes. This is not the most earth-shaking change. This is not up there with the balanced budget amendment. It will not be the end of the world if it fails.

But, Mr. President, there is an erosion in confidence on the part of the American people in Congress. I saw a poll not too long ago that 19 percent of the American people believe that Congress can be counted on to do the right thing some of the time—some of the time. I do not think it was an accident that the U.S. Senate—I believe the first act we passed was unfunded mandates; and the second was—what? Put Congress under the rules that the American people live by. The laws that we pass that apply to them apply to us.

It seems to me that this amendment again removes us from the average American into a rather rarefied stratosphere in which very few other Americans are able to circulate.

Mr. President, I hope we will defeat this amendment. I do not underestimate how important this amendment is. I thank the Senator from Michigan for yielding me time. I reserve the remainder of my time.

Mr. LOTT. Mr. President, I yield myself such time as may be consumed.

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. LOTT. Mr. President, I think the Senate would function a lot better if, in fact, we did live more like ordinary citizens with families. Maybe it would be a good idea if we begin by being home at night. That is where most Americans are today. They are at home with their kids and their wives and their husbands. They are living like normal human beings. And here we are. Where were we last night? We were here. Where were we the night before? We were here.

Now, I want to meet the Senator that is having lunch and dinner every day of the week around here. It does not happen. We come back in here, most of us come flying in from Wisconsin, Minnesota, Kentucky, Mississippi, all the way from Arizona, we get here in the afternoon on Monday and gripe like the devil if we have a vote before 6 o'clock on Monday. It would be good enough if we worked on Monday morning like average citizens, instead of Monday night. So, we get here in the afternoon, and we are in session. We do not start voting until 5 o'clock or 6 o'clock.

When are Senators going to go to dinner? Senators are here voting. OK, Tuesday—Tuesday we have policy luncheons. We all eat together. Democrats eat at their policy luncheon, and we eat at ours. There ain't no luncheon.

And at night we are here. Maybe the average Member, at least in my case, I get roped or rooked into having to go to dinner maybe once a week. I am doing better now. It is more like once every 2 weeks. So I do not have lunches off of Capitol Hill hardly ever. I eat up here with my colleagues. A lot of the time we are doing business and enjoying each other's company a little bit.

The idea that we can be bought for a steak but not for a hamburger, I do not understand that. I like hamburgers better anyway. It is OK if Members go out to a luncheon and get hamburgers, but it is not OK if Members go to dinner and have a steak. Give me a break.

Again, I am arguing we should be reasonable and rational. This \$20 limit is not rational. The inference is Members can go for steak for dinner every night. I guess Members could go out to an \$18 chicken luncheon every day.

I realize the language has good faith in there. I think good faith applies to the \$50 limit like it does to the \$20 limit. We are not going to be going out pressing the limit every day. We are going to act in good faith. We are all acting in good faith.

I want to make this point. This amendment that would put the limit at \$50 with the aggregate of \$100 is different, fundamentally different, big time different from the existing law which says Members report if it is over \$100 and the limit is \$250, and meals are exempted always—which they should be.

Now, I do not believe anybody can be bought for a meal or a bunch of meals. That is ridiculous. So, we are making a big change from \$100 and \$250 limit, down to \$50 and \$100.

This amendment is not about business as usual. And business as usual around here is not that Senators go out and get bought for a \$50 gift or a \$50 or \$60 steak dinner. We should have tight rules. We should be careful. We should watch out for the image and the perception of this institution, because we all are affected by the misconduct of only one. But we should not put ourselves in a position where we cannot comply with logical rules, and where we cannot have free and normal contact, at least with our constituents. Most people think you are talking about limiting all those big-time slick-suited Washington lawyer-lobbyists. This limits, also, how we can interact with our constituents from down home—or up home, if you are from up North.

We have made a lot of progress. I think we will be better off with this bill. But I think if we go with this \$20 and \$50 limit, it will be trouble.

Mr. President, I have no further requests for time. I believe all time is about expired or has been yielded back.

Mr. LEVIN. I have not yielded back my time.

The PRESIDING OFFICER. The Senator from Michigan has 3 minutes 27 seconds remaining, and the Senator from Mississippi has 2 minutes 3 seconds remaining.

Mr. LOTT. Mr. President, I reserve the remainder of my time unless we are ready to yield our time, I say to the Senator from Michigan.

Mr. LEVIN. Mr. President, I do not know of anybody on our side who wishes to use any of the time. I will just yield myself 30 seconds to say, wherever you draw a line, someone is going to argue that we cannot be bought for \$20, we cannot be bought for \$50, we cannot be bought for \$100—wherever you draw the line. The question is, we have to draw a line and we have to draw it a lot lower than where the line is currently drawn because it is too loose. It is unlimited meals, it is unlimited tickets, it is recreational travel. We have to draw much tighter lines.

We have a precedent in the executive branch. There is a \$20 gift rule. It has not created any big problems. It works. And they do aggregate. That means gifts under \$20 count toward the aggregate limit of \$50. That is our substitute. It is based on that pattern. It works. It has not gotten folks into trouble.

It seems to me, if the executive branch can function as they have with a \$20 limit and gifts below \$20 counting towards a \$50 aggregate, we ought to be able to live under that limit as well.

I yield the remainder of my time and I do ask unanimous consent that Senator HARKIN be added as a cosponsor to the pending substitute.

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

The Senator from Mississippi.

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

The PRESIDING OFFICER. All time has been yielded back.

Mr. FORD. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

AMENDMENT NO. 1877

Mr. FORD. Mr. President, I have a technical amendment to change some language on page 16, line 25. I have cleared this with the majority leader, the majority whip, chairman of the Ethics Committee, all those who are cosponsors. I think I have cleared it.

So I ask unanimous consent that I might offer an amendment at this time.

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

Mr. FORD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. FORD] proposes an amendment numbered 1877.



Mr. FORD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 16 of the McCain substitute on line 25 insert after "shall take effect on" the following: "and be effective for calendar years beginning on".

Mr. FORD. Mr. President, this is just a technical amendment that changes the language on that line and page. I have cleared it all. I will not debate it.

The PRESIDING OFFICER. Is there further debate? The Senator from Mississippi.

Mr. LOTT. Has this been agreed to?

Mr. FORD. Not yet.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1877) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I wanted to thank the Senator from Kentucky and the Senator from Mississippi, my friends from Minnesota and Wisconsin as well as the Senator from Michigan. This is a very contentious issue. A great deal of emotion has been associated with it. I think we have addressed the issues tonight in an informative and not exactly emotionless, but certainly a professional, manner.

I thank all of them for their contributions. And I again thank the staff on both sides of the aisle for I think very important contributions.

I thank my friend from Mississippi for his indulgence.

#### MORNING BUSINESS

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

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

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT RELATIVE TO ORGANIZATIONS THAT THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS—MESSAGE FROM THE PRESIDENT—PM 68

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

#### *To the Congress of the United States:*

I hereby report to the Congress on the developments concerning the national emergency with respect to organizations that threaten to disrupt the Middle East peace process that was declared in Executive Order No. 12947 of January 23, 1995. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c); section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c); and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c).

1. On January 23, 1995, I signed Executive Order No. 12947, "Prohibiting Transactions with Terrorists Who Threaten to Disrupt the Middle East Peace Process" (the "order") (60 Fed. Reg. 5079, January 25, 1995). The order blocks all property subject to U.S. jurisdiction in which there is any interest of 12 terrorist organizations that threaten the Middle East peace process as identified in an Annex to the order. The order also blocks the property and interests in property subject to U.S. jurisdiction of persons designated by the Secretary of State, in coordination with the Secretary of the Treasury and the Attorney General, who are found (1) to have committed, or to pose a significant risk of committing, acts of violence that have the purpose or effect of disrupting the Middle East peace process, or (2) to assist in, sponsor, or provide financial, material, or technological support for, or services in support of, such acts of violence. In addition, the order blocks all property and interests in property subject to U.S. jurisdiction in which there is any interest of persons determined by the Secretary of the Treasury, in coordination with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of, any other person designated pursuant to the order (collectively "Specially Designated Terrorists" or "SDTs").

The order further prohibits any transaction or dealing by a United States person or within the United States in property or interests in property of SDTs, including the making or receiving of any contribution of funds, goods, or services to or for the benefit of such persons. This prohibition includes donations that are intended to relieve human suffering.

Designations of persons blocked pursuant to the order are effective upon the date of determination by the Sec-

retary of State or his delegate, or the Director of the Office of Foreign Assets Control (FAC) acting under authority delegated by the Secretary of the Treasury. Public notice of blocking is effective upon the date of filing with the *Federal Register*, or upon prior actual notice.

2. On January 25, 1995, FAC issued a notice listing persons blocked pursuant to Executive Order No. 12947 who have been designated by the President as terrorist organizations threatening the Middle East peace process or who have been found to be owned or controlled by, or to be acting for or on behalf of, these terrorist organizations (60 Fed. Reg. 5084, January 25, 1995). The notice identifies 31 entities that act for or on behalf of the 12 Middle East terrorist organizations listed in the Annex to Executive Order No. 12947, as well as 18 individuals who are leaders or representatives of these groups. In addition the notice provides 9 name variations or pseudonyms used by the 18 individuals identified. The FAC, in coordination with the Secretary of State and the Attorney General, will continue to expand the list of terrorist organizations as additional information is developed. A copy of the notice is attached to this report.

3. The expenses incurred by the Federal Government in the 6-month period from January 23 through July 21, 1995, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the national emergency with respect to organizations that disrupt the Middle East peace process are estimated at approximately \$55,000. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Office of the General Counsel, and the U.S. Customs Service), the Department of State, and the Department of Justice.

4. Executive Order No. 12947 provides this Administration with a new tool for combatting fundraising in this country on behalf of organizations that use terror to undermine the Middle East peace process. The order makes it harder for such groups to finance these criminal activities by cutting off their access to sources of support in the United States and to U.S. financial facilities. It is also intended to reach charitable contributions to designated organizations to preclude diversion of such donations to terrorist activities.

In addition, I have sent to the Congress new comprehensive counterterrorism legislation that would strengthen our ability to prevent terrorist acts, identify those who carry them out, and bring them to justice. The combination of Executive Order No. 12947 and the proposed legislation demonstrate the United States' determination to confront and combat those who would seek to destroy the Middle East peace process, and our commitment to the global fight against terrorism.