

leadership, and that our Government should be a leader in going metric. I do not care how many kilometers it is to the next rest stop when I am driving down the highway, and I don't want some bureaucrat to change the sign that says 65 miles an hour to a sign that says how many kilometers per hour I should drive. They do not need to do it on my account. Do not spend millions of dollars changing signs. I want to know how many miles it is to the next off-and-on ramp. I want to know how many miles it is to the next rest stop. I want to know how many miles an hour I am supposed to drive as a speed limit.

We are building more than 20 houses on Indian reservations in North Dakota to house doctors from IHS. We should not use the metric system in such a project because it increases costs and the time to get things built.

For 3 months, I tried to change that. They want to use the metric system because they say the current rules require it be a metric system construction design and engineering. I am saying, look, if we are going to get rid of mandates, let us get rid of mandates like that. Why on Earth would we want to require the metric system be used on that kind of construction? It makes no sense.

I am pleased to tell the Members of this body that I am going to give us a chance to express bipartisan support on that issue. Incidentally, I have a Republican cosponsor who will join me next week on this issue.

#### A TAX POLICY THAT EXPORTS AMERICAN JOBS

There are a couple of other issues I am going to be involved in next week. I am going to introduce a bill, again, that I hope this Congress will do something about this time.

We are all concerned about jobs in this country and income. The bottom line answer to the question of whether the standard of living of the American family is improved is this: Does the family have decent jobs that pay a decent income? Do you know, we still have in our Federal Tax Code this perverse, insidious incentive that says to somebody, If you have a choice, don't build your plant in America, don't keep the plant you have open in America; close the darn thing and move the jobs overseas to a tax haven, manufacture there and then ship back to the United States. We will give you a tax break if you do that.

We have something called deferral, which is deferral of income tax obligation. It occurs in cases where a U.S. business closes its plant doors in the United States, moves the plant overseas, manufactures the same product and ships it back here. Our tax policy says: "Hooray for you, not only did you ruin the opportunity for jobs for Americans and move them overseas, we're free to give you a tax break for doing so."

I tell you what, that is a tax break that ought to be gone in a nanosecond. We ought to decide here and now that

our jobs in this Congress are to find ways to nurture and protect and support and provide incentives for jobs here in the United States of America.

So I am going to offer that amendment next week, or at least offer the legislation and find an appropriate time to offer the amendment. Congressman GEPHARDT, who offered that legislation on the House side last year, will do the same, I believe.

#### NAFTA RESULTS: LESS EXPORTS, FEWER JOBS

Let me make one additional point that deals with jobs and income. Today I want to make the point about a subject that was very controversial, debated here in the Senate last year called NAFTA, the North American Free-Trade Agreement. I want to make the point that we—all of us—have been left holding the bag on NAFTA.

Do you recall those glorified claims of new jobs, new opportunity, new expansion if we can simply pass this trade agreement with Mexico? Gee, if we can just build this highway to heaven, this trade agreement with Mexico, there will be massive new opportunities for the American people.

Has anybody paid any attention to what has happened since then? What has happened since then is the trade surplus we had with Mexico has now vanished. In the first 9 months of NAFTA we lost 10,000 jobs.

It is interesting, the administration only puts out the good news. They said, "You know, we sent 30,000 more cars to Mexico," and you think, "Boy, that is quite a success record, we sent 30,000 more cars to Mexico."

But, as Paul Harvey would say, the rest of the story that they did not tell you is Mexico sent 70,000 more cars to the United States. That means we had a net inflow of 40,000 additional Mexican-built cars into our market. The fact is, if you look at the whole picture, we lost jobs, but the surplus we had with Mexico in recent years has now vanished, turned to a deficit.

And do you know something else? In recent days, the devaluation of the peso in Mexico has meant that United States-made goods now cost 40 percent more in Mexico, and Mexican-made goods now cost 40 percent less in the United States. In one swipe they far more than wiped out every single advantage we gained in this country by negotiating a reduction in tariffs under NAFTA. The advertised benefit of NAFTA was to get more American goods into Mexico.

Have you heard anybody talking about that? Do you hear the trade negotiators talking about that? The ones that boasted as if they had just won the gold medal in the Olympics when they finished the trade agreement? "What a wonderful thing it is for our country," they said, busting their suit buttons talking about what a wonderful thing NAFTA would be for Americans. Do you hear them now talking about the fact that we were left holding the bag? The trade surplus is gone; the peso is devalued. Every single gain

that was achieved in negotiating for lower tariffs on American goods going into Mexico is now gone, just vanished. In fact, much more than the gain is gone.

The fact is we have been ill-served by Republican and Democratic administrations who, if you put a blindfold on, you cannot tell the difference in their trade policy. They stand around like the Hare Krishna chanting "free trade, free trade, free trade." Free trade means absolutely nothing if it is not fair and you do not have protections to deal with currency fluctuations and other things that determine which way trade moves and who it benefits.

The plain fact is, after only 12 months, we now know NAFTA has cost this country jobs, and after the devaluation of the peso we now know that we are left holding the bag.

I hope, I really hope, that we can find a way for all of us to finally get involved in a meaningful real debate about trade and what it means to jobs in this country. Every time some one of us stands up to talk about trade, we are put in two camps. There are the free traders who are big thinkers and they can see over the horizon and have a world view, and then there are the xenophobic, isolationist stooges who do not know anything and want to build a wall around our country.

Debate on that basis is meaningless. However, trade policy is a very important issue for every American family. American trade policies that are fundamentally unfair to this country are creating conditions in which American personal income is pressed down and opportunities are diminishing.

Should we build a wall around America? No, I do not suggest that. Should we have open trade? Yes. But we ought to finally insist on fair trade opportunities, and we ought to insist there is an admission price to come into the American economy. And the admission price is you have to pay living wages. You have to have safe workplaces. You have to help take care of your environment.

We have to start standing up for our economic self-interests. If we do not care about American workers, who will? If we do not negotiate on their behalf, who will? Every other country with whom we have negotiated on trade has had negotiators who have worn their jersey that says, "We are for our side." I want our trade officials wearing our jersey, saying we insist on fair trade for American producers and fair trade for American workers.

Madam President, I appreciate the patience of my colleagues who are waiting to speak, and I yield the floor.

#### CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

The Senate continued with the consideration of the bill.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Will the Chair advise what the parliamentary status of the Senate is at this time?

The PRESIDING OFFICER. The Senator is advised that debate is open on S. 2.

Mr. REID. I thank the Chair.

Madam President, I am here today to recognize the importance of this legislation that is being debated, S. 2. I think it is commendable that it is one of the first items that is being taken up. But I also want to remind the Senate and those people that are listening to the debate on the Senate floor today that the legislative branch appropriations bill of 1992 required the establishment of a bipartisan task force to deal with Senate coverage.

That was signed into law, and Senators MITCHELL and DOLE, the majority and minority leaders of the Senate in 1993, appointed Senators REID and STEVENS to cochair this commission and make a report to the Senate leaders about Senate coverage and what could and could not be done.

Madam President, there were weeks of time spent working on a report that was submitted to the majority and minority leaders in October of last year. This report consumed a great deal of staff Member time being prepared. The Senate staff of the Rules Committee, minority and majority, the Appropriations Committee majority and minority staff, together with significant help from the Congressional Research Service, counsel for the Senate, and the American Bar Association worked with us in coming up with this staff report.

I am satisfied that the work done by the task force has helped arrive at a point where we now have this bill. If you look at the task force executive summary, you will find that we were charged according to law with reviewing all existing statutes under which the Senate is covered, reviewing Senate rules to determine whether the Senate is effectively complying with other statutes that could be applied to the Senate and recommending the extent to which and the manner in which these statutes should be applied to the Senate. That was our charge.

We had to recognize, Madam President, that this unique legislative institution established by our Founding Fathers over 200 years ago sets forth certain unusual requirements that we had to be aware of, that the Senate has a special constitutional role; the separation of powers doctrine and Members' immunity for speech or debate under article I, section 6, of the Constitution.

We took all those things into consideration. We had to make sure that under the Constitution by which we are all directed, which we all respect, whatever we came up with secured the individual liberty of the separate but equal branches of Government, each capable of protecting their independence from outside interference and coercion.

That is an important concept; that we had to make sure the legislative

branch of Government maintained independence and was not interfered with by the executive branch of Government. And that is replete through the task force executive summary and the report itself.

I am happy to report, Madam President, that the legislation which was considered on this floor last year and which is now being debated today does a real good job, I believe, of maintaining the independence of the legislative branch of Government. It certainly does an outstanding job of protecting the legislative branch of Government from interference by the executive branch of Government.

I would like to commend the parties who have worked so hard on this legislation over the year or more.

I know that the ranking member of the Governmental Affairs Committee, the former chairman of the committee, Senator GLENN, has literally worked on this for years. This is one of the first things that he talked about when he came to the U.S. Senate.

Senator GRASSLEY, who is a member of the task force, has been diligent in his efforts to make sure that we are at the point we now are. Senator GRASSLEY participated in the task force. He was easy to work with and was very diligent in what he wanted to accomplish. And I repeat, Madam President, I think this legislation maintains the independence of the legislative branch of Government.

What I fought from the very beginning of the task force and have always complained about here in the Senate is I did not want these laws to be applied to the legislative branch of Government and have the executive branch of Government enforce the laws. That would have taken away our independence. I think that the movers of this legislation have done a good job of maintaining that independence.

I would also like to commend the cochair of the task force that was created by law, and that is Senator STEVENS. Senator STEVENS is a person who really understands and believes in the integrity of this institution. He wants to maintain the independence of the legislative branch of Government. So working on the task force with him—all of those who have worked with Senator STEVENS know when he believes in something he never holds back an opinion or a feeling that he has. He did not with the task force. We had a number of very heated discussions with Senator STEVENS and his staff. I believe—and Senator STEVENS of course would have to speak for himself—that the report we came up with is as good as it is because of the input of Senator STEVENS, the cochair.

We recommended that the Senate should adopt a resolution which extends to employees of the Senate offices the rights and protections necessary to ensure their health and safety, including fair wages and hours and a workplace free of discrimination. This legislation we worked on last

year, and the legislation that is now before this body takes care of that.

Second, the task force believes the current structure of the Senate in which each office is separately administered by an elected Senator, committee officer, or official should be preserved. I believe that is done as best as can be, under the confines of the current law.

The task force believes that the non-legislative instrumentalities in the legislative branch, which would include the Architect of the Capitol, the General Accounting Office, Government Printing office, the Library of Congress, Office of Technology Assessment, and the U.S. Botanic Gardens should be covered by the same standards in regard to civil rights, OSHA, and the Fair Labor Standards Act as are executive branch agencies.

So, Madam President, I am here to state that the task force completed its task. I believe we did a good job in reporting our findings to the Senate minority and majority leaders. And I am here to indicate that I support this legislation. I think it is imperfect, but I think certainly it sends a message to the American public that we are willing to have the same laws apply to us that apply to the American business community throughout America.

I would say that we should recognize that this will come with cost. It will cost. The taxpayers will not save money on this one. This will cost the taxpayers more money. But in the long run, perhaps, when we as Members of Congress find out the difficulty of having some of these laws apply to us, maybe in the long run we will be more cautious in applying laws to the American workplace and the American business community.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. LEVIN. Madam President, before I call up my amendment, amendment No. 3 that is at the desk, I ask unanimous consent that I be added as a cosponsor to S. 2.

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

Mr. REID. Will the Senator from Michigan yield for a unanimous consent request?

Mr. LEVIN. I will.

Mr. REID. I ask unanimous consent the Senator from Nevada be added as a cosponsor to this legislation.

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

#### AMENDMENT NO. 3

(Purpose: To provide for the reform of the disclosure of lobbying activities intended to influence the Federal Government and for gift reform)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself, Mr. WELLSTONE, Mr. MCCAIN, Mr. GLENN, Mr. FEINGOLD, and Mr. LAUTENBERG, proposes an amendment numbered 3.

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

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LEVIN. Madam President, this amendment is cosponsored by Senators WELLSTONE, MCCAIN, GLENN, FEINGOLD, and LAUTENBERG. This amendment would do two things. First, it would express the sense of the Senate that we should pass a bill reforming our lobbying registration and disclosure laws as soon as possible this year. Second, it would add to the bill before us the tough new congressional gift rules that were included in last year's conference report on gift reform and lobby reform, a conference report that was not voted on for reasons not related to the gift ban which would be added by this amendment.

I offer this amendment because the bill before us is not the only unfinished business from the last Congress with regard to the issue of congressional accountability. The bill before us, S. 2, is a good measure which had wide bipartisan support in the last Congress and it has obvious bipartisan support in this Congress. But it is hard to see how we can say that we have made the Congress accountable when we continue to allow special interests to pay for free recreational travel, free golf tournaments, free dinners, free football, basketball, and concert tickets, and on and on.

Like the Congressional Accountability Act itself that is before us, S. 2, this lobbying disclosure and gift reform bill was almost enacted last year. Cloture fell a few votes short, for reasons unrelated to the gift ban, in the final days of the Congress. Speaker GINGRICH's Contract With America fails to take on the three toughest political reform issues facing us: Campaign finance reform, lobbying reform, and reform of congressional gift rules. Those measures, those three measures, which are not addressed in Speaker GINGRICH's contract—campaign finance reform, lobbying reform, and reform of the Congressional gift rules—address the fundamental question of the relationship between the Congress and the special interests, the lobbyists who make campaign contributions to us and offer us gifts or other special favors.

Because those three reforms would change the way business is done in this city, they have the most opposition and will be the toughest to enact. For the same reasons, however, they are perhaps the most important measures for us to take on and enact.

When this issue was debated last October, a number of colleagues raised a number of substantive concerns rel-

ative to the lobbying reform portion of that bill. And I emphasize, that is not to be enacted by this amendment. That is only referred to in sense-of-the-Senate language in this amendment, urging us to adopt lobbying disclosure reform this year. The purpose of the lobbying disclosure reform is to close the loopholes that have existed now for 40 years in existing lobbying disclosure laws that are supposed to require paid lobbyists to disclose who is paying them how much to lobby Congress on what issues, but are ignored by probably two-thirds of the paid lobbyists in this town because of various loopholes that exist.

For instance, in one of the laws, lawyer lobbyists are not covered. Other lobbyists are covered. But if you are a lawyer and you are a lobbyist you are not covered. That kind of loophole has to be closed. There has been an effort to close these loopholes for 40 years. They are not easy to close for obvious reasons. Powerful interests want to keep those loopholes open. But there were substantive arguments raised. I did not agree with the arguments. But they were raised.

So that portion of the bill that relates to lobbying registration is not to be enacted under the amendment that I am offering today. That is simply the subject of sense-of-the-Senate language saying let us get to that this year. Since the substantive issues were raised, they should be addressed. But that is very different from the gift ban. And the contrast here is very, very stark. It is the gift ban language which would be enacted by this amendment. We cannot justify any further delay in adopting the gift ban language. We must adopt congressional gift reform.

Senate bill 1935 which contained the gift reforms passed the Senate last year on a 95-to-4 vote. When the conference report on Senate bill 349 was brought to the Senate floor, Republican leadership stated in the clearest and strongest possible terms that they had no objection to the gift provisions of the bill and opposed cloture only because of the concerns about the lobbying disclosure provision. Indeed, on October 6 of last year 38 Republican Senators cosponsored a resolution to adopt the tough, new gift rules that were included in that conference report. Those are the rules in the amendment that I am offering today. Those are the same rules we will be voting on today or tomorrow when this amendment is voted on. Those are the rules which a majority of Democrats and a majority of Republicans in October of last year said they supported. These are the same rules. So that there is no confusion, these are rules which were in a conference report which a very large majority of both Democrats and Republicans said they favored. The reason that cloture was not invoked, according to persons who opposed cloture, had to do solely with lobbying disclosure, not with the gift ban which will be voted on.

For instance, Senator DOLE stated at the time:

I support the gift ban provisions, no lobbyist luncheons, no entertainment, no travel, no contribution to the defense funds, no fruit baskets, no nothing. That is fine with this Senator, and I doubt many Senators were taking that in any event.

Senator MCCONNELL stated:

We had a very spirited debate last night about the appropriateness of the rules change with regard to gifts. I think the Senate fully understood what we were about to do because I was engaged in that debate as vice chairman of the Ethics Committee just pointing out some of the regulatory problems here in the Senate with the proposal. But we had a good debate. Everybody understood the issue. We voted on it and it is over. It would be my hope, Mr. President, that we would pass the Senate rule related to gifts to Senators.

And other Republican Senators made similar statements of their commitment to quick enactment of these gift rules, the same rules that are in the amendment which I am offering this afternoon. So a vast majority of Democrats voted for cloture and Republicans who cosponsored a resolution containing these rules said just last October, that vast majority on both sides of the aisle, let us at long last enact these tough, new gift ban rules.

Madam President, we simply must enact tough, new gift rules if we are going to ensure the credibility of the Congress and we must not delay it. There have been reasons to delay this for Congress after Congress. I know we are going to be urged to delay it again. We just simply should not. We just have to get rid of the junkets, the dinners, and the tickets to sporting events and concerts which are supplied by special interests. The public is disgusted by them, and we do not need them.

Just as one example, this is a Washington Post article of last June.

Lawmakers reveal that travel is still a frequent gift of lobbyists. House Members kept up their flying ways on the tab of lobbyists and other private interests last year even as Congress moved to impose new restrictions on what critics denounced as free vacations often in fancy resorts. Destinations popular with the House Members included back-to-back charity tournaments during the congressional recess last August and a conference at the Tobacco Institute hosted in Palm Springs.

Then it goes on to say that the Senate version would have ended it, and the gift rules that we have before us in my amendment would end it as well.

The Post goes on:

The public interest groups have criticized the recreational trips. "Ultimately the problem is that it is another avenue which interest groups, corporations, and labor unions use to try to influence how Members of Congress will act", Josh Goldstein, of the Center for Responsive Politics, told the Associated Press. The ability to take the Congress to a nice locale, have them give a little talk but essentially give them a 3- or 4-day vacation where you were their constant companion allows you to develop a friendship, a relationship with them, and that is the key element in lobbying because it is much more difficult to say no to a friend.

That is the kind of article we are going to continue to face until we adopt a tough, new gift ban. Some are going to be reluctant to make this change. As a matter of fact, the New Republican Speaker of the House was quoted in Congress Daily on October 21 as saying that he did not see any reason to change the current gift rules. Congress Daily reported that Speaker GINGRICH, then Congressman GINGRICH, told Congress Daily that he supported the system already in place and quoted him as saying, "I do not see any reason to change," quoting then Congressman GINGRICH.

But in contrast to what Speaker GINGRICH said last year we have the Senate Republican leadership, a vast majority of Republicans in the Senate, a vast majority of Democrats in the Senate, who last October said they wanted to adopt these new tough gift rules which are in the amendment which I am offering today. These are the same rules that a majority of both parties in this body just last October said they wanted to adopt.

So the contrast between what the majority of us on both sides of the aisle said we wanted to do and what Speaker GINGRICH said he was satisfied with last October is a very stark contrast indeed.

(Mr. BENNETT assumed the chair.)

Mr. LEVIN. Mr. President, as I said earlier, the lobbying reform issue, the lobbying disclosure portion of that conference report is not incorporated in this amendment that we will be voting on. That issue, lobbying disclosure, lobbying registration reform, would be left for later this year. It is not part of this amendment. There were substantive issues that were raised relative to the lobbying disclosure portion of that conference report. Even again, although I did not agree with those issues, we do not attempt to incorporate the language of lobbying disclosure, lobbying registration reform.

We have tried for 40 years, and I hope we will continue to try this year. It is the sense-of-the-Senate language in this amendment that we try to reform those laws this year. But since substantive issues were raised about that amendment, that language reforming the lobbying disclosure and registration laws is not incorporated in the amendment that I now offer. What is incorporated is the gift ban, and it is incorporated because when the conference report came before us, a majority—a large majority—of both parties, last October, said they favored adopting these tough new rules, the same rules that are in the amendment that is now pending before this Senate.

Mr. President, this amendment would put an end to business as usual. It would put an end to the so-called recreational trips for Members, the so-called charitable golf, tennis, and skiing tournaments. It would put an end to the meals paid for by lobbyists. But the tickets to the football games and other events paid for by lobbyists,

under the current congressional gift rules—Members and staff are free to accept gifts of up to \$250 from anybody, including the lobbyists. Gifts under \$100 do not even count. We are free to accept an unlimited number of gifts of less than \$100 in value. That can be football tickets, theater tickets, anything you can think of. If it is worth less than \$100, we can take as many of them as we want and do not have to disclose it. Those are the current gift rules. There is no limit on meals. It does not matter who pays for it, what the tab is, we can take it. Congressional travel under current gift rules is virtually unlimited. Members and staff are free to travel to recreational events such as golf and ski tournaments at private expense, even at the expense of a trade or lobbyist group.

According to one estimate, private interests provide almost 4,000 free trips to Members of Congress every 2 years, an average of almost nine trips per Member of Congress. If we continue that and delay the resolution of this, it is just a continuation of business as usual. It is not acceptable.

The winds of change are here. But three big parts of the change are unaddressed in the Gingrich contract—the hardest parts: Gifts to us, lobbying disclosure and registration, and campaign finance reform. In two of the three of those cases there are significant substantive issues which are still pending, which have been raised and are unresolved. But in this one, the gift ban, given what was stated last October by the leadership in the Senate on both sides of the aisle, and by a vast majority of Democrats and Republicans, that they are ready to adopt these rules that are in this amendment, we have no justification to delay this any longer. The votes were not unanimous when we passed the bill adopting this tough new gift ban, but they were a very large majority of both sides of the aisle.

When this bill was on the floor last year, we heard a lot of talk about how shrinking congressional gift limits would shut down the Kennedy Center and put restaurant employees out of work throughout the Washington area. What a horrible indictment of Congress that would be if it were true. Can it really be that we accept so many free meals and tickets that entire industries in the Washington area are dependent on us continuing to take these gifts? That seems inconceivable to me, but that is what the opponents of the measure said last year.

The basic premise of S. 2, the bill before us today, is that we start living under the same rules as other Americans. Average citizens do not have trade groups and corporations offering them free trips to resorts, treating them to fancy restaurants or giving them tickets—not average citizens. But we have a higher responsibility, in any event, than does the average citizen, because we have the responsibility

to ensure public confidence in this institution, and that is the issue.

The issue is public confidence in this institution and whether or not when we are seen on these free trips, these recreational trips, and when we are given tickets by special interests and lobbyists to concerts and to sporting events, and when we are taken out to meals by special interests and lobbyists, whether or not that is the perception of this body, we then believe that the public will have confidence in this institution. One of the reasons it does is because they have seen too much of that. They want us to act in the public interest, free of an appearance, even, of special interest influence. That perception is very difficult to achieve when rules allow the kinds of gifts which our current rules do from lobbyists and from others with interest in legislation.

Finally, Mr. President, the most recent public opinion poll that I have seen asked the following question of the American public: "Who do you think really controls the Federal Government in Washington?"—and they were given a number of options in their answers. "Who do you think really controls the Federal Government, the President, the Congress, or lobbyists and special interests?" Fifty percent of the American people said that lobbyists and special interests control the Federal Government. Fifty percent. Twenty-two percent said the Congress—both Democrats and Republicans. Seven percent said the President.

We have to change that. I think we are on our way to changing it. I think the bill in front of us, S. 2, will help put us more closely under the same laws as everybody else. This amendment contains rules which a vast majority of both sides of the aisle said they supported just last October, and it will also help contribute significantly to public confidence in this institution.

I believe it is long overdue and that we cannot justify longer and longer and longer delays. There is always an excuse not to act. But I think it would be a real copout if we do not adopt these rules now and just simply say we are going to delay them for later consideration, when there was no substantive issue raised as late as last October by the vast majority of Members of both parties in this body. It is hard to give up some things, but I do not believe the public is going to take the claims of reform seriously until we do the tough things—the gift ban, the campaign finance reform, and the lobbying registration and disclosure reforms—to close those loopholes which have been so egregious for so many decades.

I thank the cosponsors, Senator WELLSTONE, Senator LAUTENBERG, Senator FEINGOLD, Senator GLENN, and Senator MCCAIN, for their continuing energy and their continuing support. This amendment is the product of the work of many, many people on both

sides of the aisle, and it is time now to adopt these changes in our gift rules.

I thank the Chair and yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. If my colleague from Maine wants to speak now, I would be willing to follow him.

Mr. COHEN. I will take 5 minutes.

Mr. WELLSTONE. I ask unanimous consent that I might follow the Senator from Maine.

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

The Senator from Maine [Mr. COHEN] is recognized.

Mr. COHEN. Mr. President, first let me commend the Senator from Michigan. He and I have worked on the Governmental Affairs Committee, and the oversight subcommittee, since coming to the Senate in 1979. I regard him as one of the truly dedicated individuals in reforming our system both here and in the executive branch. I have the very highest regard for him, and I cannot praise him enough in terms of the work ethic that he demonstrates day in and day out on the issues that we deal with.

I have been an original cosponsor with the Senator from Michigan on both the lobby disclosure and the gift ban bill.

And I might point out historically what has taken place. Initially, we took up the issue of lobby disclosure because we realized that the current laws governing lobbyists are a mess. The laws are so ambiguous, so riddled with exceptions, so unclear that only a very few of the many thousands of lobbyists in this city even bother to register.

In fact, many who register feel they are doing so at their peril, that it is unnecessary for them to do so; they have insufficient standards and guidelines. They realize that there is very little, if any, enforcement. I am aware of any penalty ever having been levied.

But we felt at the time that the public was genuinely concerned about fundamental questions, very simple questions. Who is paying how much money to whom to do what? Those were the simple questions we think are on the minds of the American people.

And I think the Senator from Michigan is correct that many feel that their elected officials are no longer in charge of actually governing the country; that "special interests and lobbyists" are in fact calling the tune and dictating what the rules are going to be.

So I joined with the Senator from Michigan in sponsoring the lobby disclosure measure, only to find out that after we had introduced the measure, after it had come out of the committee and was coming to the floor, it was editorially attacked, as I recall, in one of the leading newspapers of this country, saying what a gross oversight on the part of the Senator from Michigan and the Governmental Affairs Committee

that they did not deal with the gift ban issue.

It was not our intent at that time to link lobbying disclosure with the gift ban issue. We were not ignoring the gift ban issue. We simply felt lobby disclosure was an appropriate subject matter for us to devote our energies to and to make recommendations. And, frankly, we thought at the time that we had a comprehensive agreement.

We found that most of the lobbyists who came in and testified actually welcomed a clarification of the existing laws. We took hours and hours of testimony. We thought that we actually were making a very constructive proposal to all of them so they know there is one set of rules, not one for those who lobby for foreign firms or countries, not one for domestic interests here at home, but one set of rules and very clearly stated. We thought that was in the best interest certainly of the country, and also the lobbyists themselves.

Then the gift ban proposal was raised at the last moment and it was implied unfairly that the Senator from Michigan did not want to deal with the gift ban issue. At that point, we decided to hold additional hearings solely on the gift ban issue. We tried to put together legislation addressing both the ban on gifts to Members as well as the lobby disclosure. That is how the two originally were linked.

As the Senator from Michigan indicated, he has now delinked these issues, calling for a sense-of-the-Senate resolution to take up lobbying disclosure later and to deal only with the gift ban issue for now.

I take issue only with one statement the Senator from Michigan has made. He said if we fail to act today, this is a copout.

I would like to indicate to my friend and colleague, with whom I have worked all of these years, that I do not intend to cop out on anything during the course of this year. In fact, I was one of the few Republicans who stood with him in the final moments of the last session, over the objection of many of my fellow Republicans, in going forward with the legislation that we had developed.

But I must say today—and I have indicated this to him privately, and I will do so publicly now—that I will not support attaching this amendment to the bill under consideration, for a very simple reason. I believe that the majority leader deserves the opportunity to work closely and in concert with the House for the first time in the unique situation that both bodies are now controlled by the Republican party to give the Republicans a chance to govern.

As I recall Senator DOLE saying during the campaign in the fall months, "Give us a chance to govern, and if we don't measure up, if we don't do the job, throw us out." Those are pretty straightforward and very tough words.

What Senator DOLE is asking for is a chance to say: Let us take this meas-

ure up, S. 2; it is not perfect, but it is something that we think we can reach agreement on very quickly with the House, that we may be able to avoid the need for a conference, and pass a bill quickly that will tell the American people we are in fact subjecting ourselves to the laws that we subject them to.

He has also made a pledge to me and to others—and it is a pledge that I will repeat here today for myself: Let me tell my friend from Michigan, in the event that his amendment is not successful, in the event it is tabled, that I pledge to him and to other Members here that I intend to support gift ban legislation. I intend to support lobby disclosure. I intend to give Senator DOLE an opportunity to bring it up in a relatively short time. He has not given me a specific timetable, but I would say within the next couple of months, I expect we will consider this legislation and any amendments that might be offered to it—and I suspect there will be amendments. There are people on this side that still do not agree with provisions that we supported.

I will make this representation to my colleagues: That I intend to support the legislation. I will not do so today. I will give the majority leader an opportunity to carry through what he said he wanted to do, and that is a chance to govern. And if we fail to do so properly in the eyes of the American people, throw us out.

So at the appropriate time—and that time to be determined by the majority leader; and it is something that I will continue to watch carefully and work on with my colleague from Michigan—I will join him in offering his legislation. In the event he is unsuccessful in bringing this to a vote today, I will join him and vote for both of these bills in the future.

But today, I am urging my colleagues, as one who is an original cosponsor of both bills, to give Senator DOLE an opportunity to govern, to see if we cannot pass this legislation as quickly as possible so we can avoid going through a lengthy conference with the House which could in fact derail the momentum that exists for taking swift action on the Congressional Accountability legislation. Give us an opportunity to prove what can be done in a short period of time and then insist that we bring these two measures back to the floor for a vote, at which time I will be joining with my colleagues from Michigan, Minnesota, Wisconsin, and Ohio.

I thank my colleague from Minnesota for yielding.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Thank you, Mr. President.

Mr. President, first of all, let me not talk about this issue in terms of parties, which is I think part of what is now going on before the Senate. Let me talk about this issue as an issue, as an

issue which I think is very important to people.

When I was campaigning for office back in Minnesota in 1988 and 1989 and just talking with people in cafes, I was surprised then—and that goes back 5 or 6 years—at the extent to which people did not feel well represented, the extent to which people felt ripped off, the extent to which people felt that politics, especially politics in Washington, was a game that a few played but not them, not their families. So I came here, Mr. President, requesting a very strong reform orientation. Ever since I came to the Senate, this has been my primary focus.

Mr. President, I came here convinced that whereas, when I was a political science teacher I used to talk about some of the reform issues as issues that maybe the good government people cared about, unfortunately I would say in class, most of the people do not. People care fiercely about a political process that has integrity, that is open and is accountable to them.

While we delay, let me just read from an AP story today. "The revolution may have hit Congress on Wednesday, but lobbyists were still picking up the tab for the food and drinks. A sumptuous spread covered tables"—and I will leave out the committee and names—"in the committee's ornate meeting room put on to honor its new Republican chairman"—and I will leave out the name. "Lobbyists from Tenneco, Dow Chemical, Southwestern Bell, and Exxon munched and chatted with committee members and aides."

Those lobbyists went on to describe this as a networking opportunity.

Mr. President, for the life of me, I do not understand what the delay is all about. This is not even a debatable proposition. I say to my colleagues, many of whom are in their first term, many of whom are in their first year, who came here with a strong reform orientation, I can really appreciate their perspective.

I am fairly new to the Senate. The argument to people is, well, you know, I had a chance to vote on banning these trips and these gifts and these meals and these tickets—because you know and I know this is an unacceptable practice—I had a chance to vote on it, but I voted against it. The reason I voted against it is because my party said to me that they wanted to put it off, and later on we would get to it.

This is a matter of how you draw the line between Republicans and Democrats. I thought we were operating in a bipartisan fashion, Mr. President. I do not think I will get into any pointing of the finger, but I could probably do a fairly good content analysis, when we hear about being able to govern, of the number of amendments, in just the years that I have been here, that have been brought out to a variety of different bills, many of them not even germane amendments, by the then minority party.

This amendment meets the germaneness test. This is all about congressional accountability. This is called the Congressional Accountability Act. There is not one word in this Contract With America about lobbying disclosure, about gift ban, or about campaign finance reform.

Last session, at the end of the session, some 37 Republicans voted for exactly the language of this amendment, understanding that Senator LEVIN has now a sense-of-the-Senate resolution dealing with lobby disclosure: Mr. DOLE, for himself; Mr. SIMPSON; Mr. NICKLES; Mr. COCHRAN; Mr. MCCONNELL; Mr. SMITH; Mr. D'AMATO; Mr. DOMENICI; Mr. COATS; Mr. LOTT; Mrs. HUTCHISON; Mr. BENNETT; Mr. SHELBY, now Republican; Mr. GREGG; Mr. COVERDELL; Mr. Durenberger; Mr. PACKWOOD; Mr. GORTON; Mr. KEMPTHORNE; Mr. THURMOND; Mrs. KASSEBAUM; Mr. BROWN; Mr. MACK; Mr. WARNER; Mr. FAIRCLOTH; Mr. GRAMM; Mr. HATCH; Mr. BURNS; Mr. HELMS; Mr. MCCAIN; Mr. GRASSLEY; Mr. LUGAR; Mr. BOND; Mr. CRAIG; Mr. ROTH; Mr. PRESLER; Mr. COHEN; and Mr. CHAFFEE. It is the exact same gift ban provision.

Mr. President, for those who voted for it before, why is it not as compelling an issue today? Since this practice goes on—I just read from a story that dealt with the giving of gifts yesterday—why is this not a compelling reform issue today? For those in the Senate who were not here last session but who ran for office on such a strong reform agenda and said they wanted to change business as usual in Washington, why would you vote no? Why would you vote no? I guess you could make the argument, well, later on we will get to it. The only thing I can say, and I have been hearing that argument ever since I came to the Senate: Delay and delay and delay. Maybe later on, we will get to it.

I can assure you that if we lose the vote today, we will keep pressing on this issue and we will hold everyone accountable. But if an amendment makes sense, if an amendment to a piece of legislation is a part of governing, the Senate is an amendment body. I do not quite understand the argument that we will not take any amendments. I mean, the Senate is an amendment body. That is the way most of us operate as legislators in the Senate. We bring amendments to the floor.

This particular amendment, without a doubt, is certainly germane. It is all about accountability. We are being told by some of our colleagues that they will not support the very gift ban that they supported before. Why? Why? Why the delay? Is this all about progress? Is this all about who is running the Senate?

Because, Mr. President, people in the country are the ones who run the Senate. People in the country want to see the reform. People in the country have said over and over and over again, "Nobody comes up to us." My neighbors in Northfield, if they had a chance to talk

to Senators, would say: No one comes up to us and says, "Listen, would you like to take a trip, wherever?" Or, "Are you interested in going to some athletic event?" Or, "We would like to take you out to dinner." People do not have lobbyists coming up to them. Regular people do not have lobbyists or other special interests or other folks coming up to them to make an offer. Who are we trying to kid?

This is a real problem, a compelling issue. It is a compelling issue today. There is no reason why any Senator should vote against this. There is a reason on substantive grounds. But it has overwhelming support, including from almost all of our colleagues on the other side, unless this is just a case of power and prerogative. What a shame that would be. If a good idea comes from this side of the aisle, and it is relevant to an important piece of legislation which deals with congressional accountability, I ask my colleagues, why do you vote against it? How ironic it would be, Mr. President, if on this piece of legislation, called the Congressional Accountability Act, we exempt ourselves from the very rules that the executive branch lives by, which is precisely what this amendment attempts to rectify. Why the delay?

Mr. President, Roll Call, on Monday, October 17, 1994—and I will try to be very careful about not using names—has a very interesting and revealing piece called "How Lobbyists Put Meals, Gifts to Work." This memo, obtained by Roll Call, says one prominent D.C. firm lays out 1994 strategy, including meals, campaign contributions, and participation in leadership races. It is Timothy Burger's piece:

During the protracted debate over new lobbying and gift rules which went down to stunning defeat in the waning days of the second session, Members argued violently over the influence of lobbyist-paid meals and campaign contributions.

Now, a Big Mac will not buy influence from anybody. "I am sure \$15,000 will not buy influence from anybody," Representative Dan Burton, Republican, Indiana, said on the floor. Retiring House minority leader Bob Michel said, "Here we are, demeaning ourselves, saying, 'Please stop me before I accept another cup of coffee and a Danish, and I am sure he was sincere about that because he is known to be that kind of Representative."

The article goes on to say, "Despite such protests, meals and contributions are fixtures in the lobbying world, and internal documents from a prominent Washington lobbying firm demonstrate just how central they are to conducting business."

I will not name lobbying firms and name different Representatives. And so on and so forth.

But it is very revealing.

Mr. President, again, 37 Republicans supported precisely the language of this amendment which puts an end to

this egregious, unacceptable, unconscionable policy of accepting gifts from lobbyists and other special interests. It is wrong. We should not do it.

Each and every one of us, and I know each and every one of us, does fit within this framework who cares about this institution, each and every one of us who wants to see some increase in public confidence and trust and each and every one of us—and I bet I am speaking for every single colleague on this point who is tired of the bashing and the denigration of public service and who is tired of this indiscriminate attack on everybody in public service and who understands that this is not good for representative democracy. And it is not, Mr. President. If that is the case, then there is simply no reason why you would vote against this.

Do not vote against this on a party basis. Do not vote against this on the issue of prerogative. Do not vote against this again delaying. Do not be obstructionistic about this. Move forward on it. For those of you who were here before, you voted for it once, vote for it again, and for those of you who are new—and I know you have a strong reform orientation—there is no reason in the world why you should not support this amendment.

Finally—and I know Senator FEINGOLD wants to speak—finally, Mr. President, let me just say that if we really want to change the political culture in Washington and if we want to talk reform out of one side of our mouth, then we are going to have to act on what we say in terms of how we vote and what we do.

I will just say to my colleagues, as painful as this issue is and as disliked as this reform effort is by some, this is the right thing to do and we can no longer be accepting these gifts and expect people to respect this process, much less respect each and every one of us.

I will have more to say about this, Mr. President, as we get into the thick of the debate, and I assume that we will have a debate about this because I think it is an extremely important issue that goes to the heart of whether or not the political process in this country is going to work well and is going to be honest and is going to be open and is going to be accountable to citizens.

For now, I will conclude my remarks and yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, thank you. I certainly appreciate the leadership of the Senator from Michigan and the Senator from Minnesota on this issue. Listening to them talk about this so early in the session gives me heart that we are going to get going on a reform agenda that is so important right away in the 104th Congress.

Let me also say I enjoyed listening to so many new Senators today give their

first speeches on this important piece of legislation. Just 2 years ago, I had the honor and pleasure to give such a speech. I just want to take this chance to wish each of the 11 new Senators well, and I look forward to working with them.

Mr. President, as the first week of the 104th Congress, this is also a time when I think it is natural and appropriate for us to try to interpret what the elections were all about on November 8. That is something that all of us have been doing for the last couple of months, trying to draw some lessons from those elections. It is an appropriate thing to do because, of course, we are here to exercise in part our own judgment, but most importantly, we are here to reflect the goals and aspirations of the people who elected us.

So when we come here in the first week, there are a lot of theories about what happened. Some people say this was an election where people just decided they wanted to have the country run by Republicans. That is not a completely irrational interpretation of the election results.

Others would say they want conservatives to run the country rather than liberals. Some just think it is an anti-incumbent feeling, that it is just time to have different people in there, they just want change and maybe they will do the same thing in 2 years.

Others take a look at the election results and suggest some very specific legislative policies were endorsed by the people, best symbolized by the Republican contract, which I do not happen to think was endorsed by the American people. I am not sure they were aware of it. Certainly, that is one thing people are suggesting—welfare reform, term limits, school prayer. Others say that the people called for a middle-class tax cut. I strongly disagree with that. I do not think the people wanted that at all. But these are among the things being debated, and they are fair grounds for debate.

The one thing I am pretty confident we can almost all agree upon is that the people of this country think that Congress itself needs some reform. We may disagree on the kinds of specific reform, but the one message that I think was loud and clear is that this institution needs some changes before the American people can feel very good about it again. In fact, that is why I am very pleased and I give the new majority a lot of credit for leading with this bill, and I think many Democrats helped initiate the idea of congressional compliance; that we should not be able to live by different rules than the ones we have made for everybody else.

I hold many town meetings back in my home State, and this one is just an obvious one. People constantly say, "Why in the world don't you live by the same rules you make for us?" Unfortunately, what it is for many people is a feeling that maybe we are being hypocritical by passing these laws and

finding some reasons why they should not apply to us but apply to all their employers.

There are other obvious reforms: Revolving door legislation, the frequent flier legislation discussed, I think campaign finance reform is something that almost all Americans realize needs to happen, lobbying disclosure, and the like.

To me and so many of my constituents, one of the most important, easily the most obvious, reform is the reason I rise today, and that is as a cosponsor of the amendment by the Senator from Michigan, the Senator from Minnesota, the Senator from New Jersey, the Senator from Ohio and I am delighted to see the Senator from Arizona of the other party joining as a cosponsor on that issue. That issue, the subject of this amendment, is to finally get a gift ban for Members of Congress.

I heard the comment made a lot last year, and even this year, even this week when we know this is a time of reform, that nobody cares about this issue. Some even say the election was proof that this is not an issue. The argument goes something like this: "The Democrats didn't win and because the Democrats brought this issue forward, it couldn't have been much of an issue."

But as the Senator from Minnesota pointed out very well, at least at one point in the process last year, this was not just a Democratic issue, it was overwhelmingly endorsed by Senators of both parties and overwhelmingly endorsed by the House of Representatives.

In fact, one could also argue that it was the failure to pass the gift ban that hurt the Democrats. I do not think that is fair, but people may have perceived it as an example of the gridlock that they somehow interpreted as having something to do with the Democratic majority.

We know very well that this gift ban was merely a victim, a sacrificial lamb in a mass bill-killing at the end of the session. But who knows, it may have been one of those factors that led people to want to switch teams, and that is exactly what they did.

There is one thing I am very confident of, and that is if the people of this country knew what happened after the gift ban was killed here in this room and just outside this room, they would have been very, very upset. There was a very loud cheer that rose up in that room out there we call the lobby. The lobbyists cheered very, very loudly because this bill had been killed.

What more symbolizes business as usual in Washington than the loud cheers that came in that hall when this very simple proposition could not pass after it passed overwhelmingly in the U.S. Senate?

So whatever the role this issue played in the election, I firmly believe that the practice of this gift-giving is a significant part of the feeling of the



American people that there is something rotten in Washington. I believe it is that feeling, that there is something rotten in Washington, that had more to do with the results of this election than anything else. I think that is what it was about, and I think that is why this gift ban, although it may look like a little thing, really is part of a much bigger and much more serious issue, and that issue is, do the people have faith in their Government anymore?

It is not much to ask the Senate and the other body to come together to do something about it. In fact, it is my own personal observation, after having held over 100 town meetings in my State over the last 2 years, that people actually feel insulted and disgusted by the fact that this practice exists. I start talking about it and I cannot even get a sentence out about the practice before the whole crowd breaks out in spontaneous applause at the idea of this gift ban. Believe me, they do not applaud that way for everything I say. This one always elicits a very powerful reaction of revulsion that this practice is permitted in Washington.

Now, maybe that happens in Wisconsin because we are awfully proud that for 20 years we have had this rule in our State legislature, a rule that applied to me for my 10 years as a State senator. It has worked very well. Members of our State senate and the assembly are not even allowed to take a cup of coffee from a lobbyist. It has been no problem for 20 years.

So maybe it is just that. Maybe it is just the people in Wisconsin cannot understand why Washington cannot do it if we can do it. But I think it is more than that. I think it just does not fit with what people believe the Senate should be engaged in.

Mr. President, others say that whatever the public's view may be, this is not a good thing to be talking about; that it is just a form of self-flagellation; that it is trivial. And the more serious Senators say that bringing this up, that talking about it hurts this institution; that it hurts the Senate to talk about it; that it demeans the Senate.

Mr. President, it is my belief that it is not talking about the gift ban that hurts the Senate. It is the practice of allowing gift giving. It is the spectacle of having to turn on television in prime time and seeing the elaborate portrayals of the tennis and golf tournaments. It is the spectacle of, in our office, having received 800 gifts in the short 2 years that I have been here. Now, our policy does not allow us to keep them, but we have logged them, from a bottle of cognac, to a 6-inch Waterford crystal, to an alarm clock, and recently I am told, although I was back home, a Christmas tree for every office. I do not know if it was for the House as well but certainly for the Senate.

Let us assume for a moment that this is all pure generosity and it is well intended. I think it looks silly. I think

it is demeaning to the Senate. It hurts the dignity of the Senate because it does not show us following rules as strictly as the American people believe should be observed by their very highest officials.

But let me just in the last moment, Mr. President, take this one step further. It is my view that even if this is just something that looks bad and even if it makes us just look silly, if I did not think this was a bad practice on the merits itself, then I do not think I would have supported this effort to try to attach this to one of the very first bills in the 104th Congress. But I do think it is a bad practice. I do think it plays its role in changing the outcome of what happens in this town.

I am afraid, Mr. President, I have reached the conclusion that this gift-giving is part of a closed circle of special interests in this town that does play its role in blocking meaningful change, whether it be trying to bring down the deficit, whether it be trying to achieve health care for all Americans, or whether it be trying to protect our environment.

I will say I respect all my colleagues. I do not think it has anything to do with the value of these gifts. It is because these gifts and this practice is part of a culture of special interest money and influence which includes campaign finance abuses and revolving doors for staff members and Members, and this is a culture that is a barrier between the Members of Congress and the people they represent.

Mr. President, I think it makes the beltway look like more than a road. I think it makes the beltway look like a boundary that too many Americans believe separates America from another country or another province and that would be something they tend to perceive as the kingdom of special interest influence known as Washington, DC.

Let me just conclude by saying that although there were many moments that troubled me during the debate last year, the moment that made me realize just how important this legislation was, was when the last-ditch argument was made that we could not do this because a number of important Washington, DC, restaurants would lose a lot of business.

Now, if a lot of Washington, DC, restaurants are going to have trouble surviving, that means it is an awfully significant practice. And if we have come to that, where something that troubles the American people and offends them is less important than making sure that some restaurants here have enough lobbyists buying meals for Members of Congress, we have really gone too far.

So that in the first week of the 104th Congress I do not think there is any more appropriate amendment than the one we are bringing forward today to this bill, and I again thank my colleagues, especially the Senator from Michigan and the Senator from Min-

nesota, for all their hard work on this issue. I yield the floor.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I am very pleased to add my full support for and to be a cosponsor of the amendment. It is based on legislation which, through the hard work of Senator LEVIN and Senator COHEN and several of us working with them, passed the Governmental Affairs Committee last year which was still on my watch as chairman. It was on a bipartisan basis. Senator ROTH also worked with Senator LEVIN and Senator COHEN and myself.

As the saying say goes, no more free lunches. I am glad to say this year we hope this may also apply to Members of Congress. For that matter, gone, too, if we pass this amendment, will be the junkets to warm and sunny places to escape the chill of the winter wind here in Washington. Kiss good-bye to freebie baseball tickets, if they ever play baseball in the major leagues again. It does not look very hopeful at moment but it may happen, too.

Say sayonara to first-run plays at the Kennedy Center. You can still go. You can attend. It is just that you cannot have somebody pick up the tab for you. That is the only difference. You have to pony up yourself, like every other American.

I say we have to give tribute to the American people who made all this possible by expressing their concerns about this loud and clear in the last election. We have heard many references to November 8 and people trying to analyze and superanalyze what happened then. That will be saved for another day. But I do not think in any event we can turn a deaf ear because we have gotten the message.

Now, do I subscribe to the notion that Members of Congress can be bought or are up for sale for a few tickets or for a few dinners? No, absolutely not. I do not. The very thought discredits our labors, the very hard work that goes on here, and such thoughts only undermine and demean this institution. But it goes without saying that Government's faith and credibility have been sorely tested these last few years. And if banning gifts and other lobbyist amenities is what it takes to begin restoring public trust and integrity, then so be it. Act we must, whether we really feel it is having any impact on what we do here or not.

Do I think the gift ban will actually make a difference in how things are done around here? Probably not as much as most people really think. I do not think most people are bought by a dinner or two, or whatever. But the main thing is we want to put everything aboveboard. We want to do business the true old-fashioned way by meeting our own constituents as well as special interest lobbyists in the ambience of our own offices.

I meet constituents, I meet lobbyists all the time in my office. They do not



need to buy access. They do not need to do me some favor. They do not need to send gifts into the office in advance. We schedule them, talk about their particular concerns, or sometimes I have been known even to take some people to lunch myself and pay the bill myself.

The point is we all recognize that in this world of politics we are not dealing sometimes with what is rationally considered out in the business world. We deal with perceptions of what people think, their view of us, what the general air is around, how you run an office.

I think that is the reality of the situation. This institution which ought to be revered and respected by all Americans has been subjected to scorn and ridicule, part of it because the talk shows or the editorialists or somebody writes about the dinners and the freebies and the tickets and the so on around here as though they really run Washington on that basis. So we have had much scorn and ridicule. We have been depicted as out-of-touch Members, being wined and dined by special interests and caring not for the Nation or our State but only for our own reelection campaigns.

Now I do not happen to believe that is true for 99 percent of the people in the Congress. But the perception, once again, is what we are dealing with.

We certainly deserve much of the blame for having let this happen. So it is a big step we take today, one which hopefully will show that we are serious about improving this body's reputation and standing with the public.

Having said this, however, I must confess that in my view these issues are a really a diversion from the true heart of the matter. If we really wanted to attack the notion of special interest access we would be dealing more directly with campaign finance reform. If we want to talk about what would clean up politics across country it is campaign finance reform more than anything else, not whether we limit \$20 lunches or not.

In fact, just to illustrate that, I find it just a bit hypocritical to say that a Member could be bought for a \$20 lunch, yet he can sit down with that same lobbyist and ask for a \$5,000 PAC contribution and get it. We may have to foot the bill for the lunch but it is a small price to pay for a hefty campaign check. And it just does not make sense to do one without dealing with the other.

I think, really, if we were dealing with this we would be dealing with Federal financing and make some sort of matching funds that would cut down some of the costs of campaigning so we do not have to go out and be dependent upon lobbyists and big contributors across the country for every campaign we run. If we did something like that, provide at least partial Federal financing for campaigns, we would do more to clean up politics than anything else.

Let me also just say I regret we are not considering what I truly believe would be also some guts of this reform and that is lobbying disclosure. We were not even able to take up the conference report on that measure toward the end of the last session. The conference report came back, as we all recall, and even the motion to proceed to it was filibustered. There were supposedly some grassroots problems that were had on the other side, basically, with it. The gift part was OK, as far as the provisions in that conference report. The gift part of it was OK, but the lobbying part of it was opposed by some people.

What Senator LEVIN has done is he has cut back on that lobbying portion of it as it came back last year in the conference report and stuck more tightly just to the gift part of this thing. So it has been weakened in some respects. But we could not even get that conference report up to be considered late in the last session.

I think there was a lot of misinformation and I do not know whether all the motives were pure or not in what people were trying to do in opposing that even coming to the floor. In my judgment, lobbying disclosure will probably have a greater impact in rebuilding the people's trust in Government than the gift ban. And I look forward to the day when everyone will be able to know who is paying what to lobby whom on which issue. Sunshine is always the best disinfectant. In some cases it may even be a repellent.

I know the hard work put in on this effort by Senators LEVIN and COHEN in our Governmental Affairs Committee last year. I think we can surely address what legitimate concerns have been raised about lobbying disclosure and pass this bill expeditiously.

I would add, we have two different bills that were proposed on this congressional coverage. One is just congressional coverage, period. That is it. And that is the one that is before us today that is proposed to be amended.

The other one was the one put in by Democratic leadership, by Senator DASCHLE, by our minority leader. And it took basically that same bill, congressional coverage, but added lobbying and gift ban to it. That is not the bill before us. So the effort now is to take those other provisions and add them to this. I must admit I started out thinking that perhaps this would complicate things in getting it over to the House and getting it passed expeditiously, which I certainly support and want to do. But when you look back at the track record and what has happened with regard to this legislation, there is not all this need for a chance to govern or for great Senate leadership that Senator COHEN, my good friend Senator COHEN, alluded to a few moments ago. Let us look at the record on this. Play the tape over again.

In 1994 the House passed the gift ban, not once but twice. So it passed the House. It is not a matter of having to

have great leadership to work out our differences with the House. They passed it twice last year. They passed the lobbying part of it, which is not a major part of this now. That has been watered down. But they passed this twice last year. What happened in the Senate? In May of last year the Senate approved S. 1935 that banned gifts to all congressional personnel and staff and passed it by a vote of 95 to 4. So here we have two votes over in the House, we have a vote here in the Senate on the same thing. We had the agreement in conference that was worked out. Yet we could not get that up.

So as far as this idea that the new congressional leadership has to have a chance to lead, a chance to govern—to me rings just a bit hollow, rings a bit untrue here, because we have already had full agreement on these things between the House and the Senate repeatedly. And the filibuster last fall is the only reason we did not get the conference report through. So I feel the House already has spoken on this.

There are a lot of new Members over in the House. But I do not think their views on gift ban and lobbying are going to be that different from those of the House the last time around. So this idea that we need some great chance to govern or need some new leadership when both sides have already agreed and voted repeatedly on the same issue that we are talking about, rings just a bit hollow. So I think the House, with the past record over there, would be more likely to, if we put this on, put on the amendment that Senator LEVIN is proposing—I would think they would be prone to accept it. And hopefully we could get ahead with this, rather than having to have a whole separate bill brought up and debated once again, have its own series of amendments, I suppose, and it just delays it until later in the year when, I repeat once again, for the fourth time, I guess, that the House and the Senate have already acted repeatedly on the gift bans that he is proposing. So why not put it on this and get it through in one bill? Then we can get on with other legislation. This year is going to be full of legislation anyway.

The House passed this 306 to 112, I am told here. I did not look that up. They passed it overwhelmingly last year. We had overwhelming votes—95 to 4 here in the Senate. The House passed it twice. And the part that disturbed some people here, the lobbying part of it—OK that has been watered down by Senator LEVIN. So that is now just a sense of the Senate.

So I see no reason why we should not accept this and go ahead. I think real leadership here, a chance to govern, would be to include the most we can in this package here that has already been agreed to by the House and Senate and get on with it so we can save floor time and committee time for other more important items as we go through the year.

So I support this and want to compliment Senator LEVIN again. He stuck with this. He has really stuck with it, not just because it is politically good for him. I know because I talked with him. He stuck with it because he believes in it. He thinks it is right and I think it is right too.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I will be extremely brief. I understand there will be a motion to table shortly, if debate has been completed. Let me just say that I am pleased that my friend from Michigan has decided not to press the lobbyist disclosure measure at this particular time. As he knows, I have been in discussions with the American Civil Liberties Union about that bill. It seems to this Senator and to the ACLU that in many ways the bill, even in its current incarnation, significantly impairs the ability of citizens in this country to petition Congress, something they have a constitutional right to do. So I think we need to continue to work on that, and I am pleased that the Senator from Michigan has chosen not to press that here today.

With regard to the gift issue, as we all know the gift issue is a Senate rule. It can be enacted by the Senate alone, whenever the Senate chooses to act. It does not require the concurrence of the House. Back in the fall when we were engaged in a dispute, driven principally by the flaws in the lobbying portion, I, along with a number of my colleagues, proposed moving ahead and passing the gift provision, separate and apart from the lobbyist disclosure provisions.

It was the prerogative, of course, of the then majority leader, Senator MITCHELL, to bring up the gift matter since it could not be offered as an amendment to the measure before us because of the conference report. The conference report had married together the changes to the gift rules and the lobbyist disclosure statutory change. And we had a conference report before us. Senator DOLE had suggested that we would defeat the conference report and be willing to act on the Senate rules. Senator MITCHELL chose not to call up the Senate rule at that time, apparently feeling that it was for whatever reason not a good idea to pass the rule all by itself. That was at the end of the Congress.

Here we are at the beginning of the Congress. In fact, the first act of the day in the Senate, it would be in my view, could be that there would be further refinements made in the gift measure. I do not think there is any compelling reason to do it today. It is the beginning of a Congress, not the end of one. What is also at stake here, Mr. President, quite frankly, is the issue of running the Senate. Senator DOLE may well decide at a timing of his choosing to bring up a gift ban proposal. My view is that, should he decide

to do that, we will have one that makes sense and revises the current gift rule. We can do that wholly apart from what may or may not be going on in the House because we can do that obviously with our own rule.

Mr. President, it is my view that what is really at issue today is sort of the control issue. We all would like to see congressional accountability pass. It seems to this Senator that the best way to do that is to pass it as it is without amendment.

Even though I will predict that at some point this year we will pass a gift rule revision, my prediction is that it will be better than the one currently offered in this amendment, better for the Senate and better for the public; and that today what we ought to do is pass the Congressional Accountability Act, something I think virtually everybody here is in favor of it. It is ready to go. We know the House is interested in receiving our version.

So I hope that whenever a motion to table is made that it would be approved and that we commit to my friend from Michigan that we will continue to work on this. I think it is likely that it would be approved sometime soon. I believe we can make it even better than the version currently being offered by the Senator from Michigan.

I thank the Chair.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Chair. I will take a few minutes to discuss my point of view on this piece of legislation. I am a cosponsor of the amendment which would prohibit Members of Congress from accepting gifts, travel from lobbyists and others.

Mr. President, if this past election proved anything it is that the American people want change. They want Congress to respond first and foremost to the needs of ordinary citizens, not special interests, not just the wealthy, not just the lobbyists.

I introduced a piece of legislation, something so similar that this is indistinguishable from what I introduced at that time. It was in May of 1993. At that time, Mr. President, there were many of us here, many here on Capitol Hill that did not appreciate the depth of the public's anger. Today I think it is quite obvious that the message was loud and the message was clear. And I think that everybody today understands how the public feels. And it is time, way past time, as a matter of fact, to finally translate that anger into action.

Mr. President, I do not believe, and few do, that Members of Congress are selling their votes for the price of a meal or a free trip to the Caribbean. But it is hard to believe that when a lobbyist takes a Senator to dinner that they are only buying a meal. What they are buying is access, and access is power. Ordinary citizens do not have that access. They cannot just take

their Senator or this Congress person to a quiet dinner at an expensive restaurant and explain what it is like to be afraid, to be concerned about the future, to be concerned about your job, to be concerned about whether or not your child is going to be able to climb the ladder of success, what it is like to be employed. Certainly they cannot take Members to resorts in the Caribbean or out in the mountains to discuss their personal tax problem. But meanwhile lobbyists have been doing these things for years. It gives them a distinct edge.

Mr. President, when Americans see Members of Congress being wined and dined by lobbyists, they do not like it. They resent it. They believe with that kind of imagery that the deck is stacked against them, and they think it is wrong. They do not respect the system that operates that way.

As I said earlier, I do not stand before my colleagues to criticize anyone or to question anybody's motives. I am not claiming to be particularly holier than thou—but I do think that we need to change the way that we do business. This is the time and the place to do it. We are, after all, considering a bill that is designed to eliminate double standards for the Congress, standards differing from that of the average person. And it is a terrible double standard for the executive branch to be living under stringent gift rules while Members of Congress continue to accept gifts from others.

I would also point out, Mr. President, that many in the private sector are living under the type of tough standard proposed in this amendment. The occupant of the chair comes from the business community, as I do. As a matter of fact, our paths crossed indirectly in our previous lives. I was a CEO of a major corporation before I came to the Senate, and I know that the distinguished Senator from Utah also was head of a significant corporation.

In my company we had very strict rules prohibiting purchasing agents from accepting gifts from suppliers. I did not think our people were dishonest. But I wanted to make sure that there was no temptation, no seduction on the part of the supplier to get a special advantage. I wanted the products that we bought, the merchandise that we bought, to be considered strictly on the basis of quality, ability to deliver and the appropriate price, nothing more. Lots of companies have similar rules. If these companies can live with these restrictions, I believe that it is fair to say that we in this body can also.

Mr. President, just a few months ago Republicans in this body and in the House chose to defeat lobbying reform legislation that included a gift ban. At the time, our colleagues claimed that they were supporting the gift ban but they were concerned about other provisions in the bill. Others suggested that perhaps the motive was partisan to deny Democrats credit. I am not going

to comment about anyone's motives last year. It is water under the bridge. I made some comments at that time that I think perhaps were misunderstood, was taken piecemeal out of the television interview.

But once again, I state very, very clearly that my view is that people are not corrupted by a meal or a present or a trip or a golf game. But the appearance is not one that the American people believe gives them the same fair deal that some on the special inside track has.

I hope my colleagues will agree to support this amendment which includes the very same gift ban that they claimed to support last year. As a matter of fact, it won 95 to 4, I believe was the count—overwhelming. The eyes of America are on the new leadership and on this Congress. If we cannot bring ourselves to ban gifts from lobbyists it will be a sign that for all of the talk of reform we are still back in politics as usual. The fact of saying one thing but doing another, the fact of putting special interests first and the ordinary citizens last, would be a terrible and deeply disturbing message for this Congress to send, and we ought not to do that.

So I hope that my colleagues will join me.

Let it be voted upon. Let us take the count and see what happens. That is what the American people are entitled to know. What do the Members of this body really believe when they say they want to change things? It is easy. Get a tally of the vote, and it adds up to 100. Whichever way the majority rules is what will be done.

So I would like to see it done with support from both sides of the aisle, in the spirit of the new mood of cooperation. I hope it can be done. I think it is very important to set the record straight, and you do it step by step. This is a very important first step.

I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I just want to respond to some of the comments from my colleague from Kentucky about this amendment, the gift ban provisions. My colleague said that he thought it could be improved upon, but again I point out that this is precisely the language of the proposal introduced by the majority leader and 36 other Republicans. Mr. President, I can go through the provisions of this gifts proposal—and I guess I would like to ask my colleague, what would you want to improve on? What do you want in and what do you want out?

Mr. President, what I have heard on the floor of the Senate in the last hour or so really startled me. And I think it is going to be a huge problem for our country. The word "governing" was used earlier. Again, Mr. President, people were talking about meals. It is not just meals. There are examples of trade association-paid trips to the Bahamas,

Hawaii, you name it. We ought to end this practice. But I would like people in the country to know—and I was amazed that I heard my colleague from Kentucky just say it so clearly. He said, "This is about control." That is what this is about? So, colleagues, this is not about merit, this is not about reform. When everyone ran for office, they talked about reform. I doubt whether very many of my colleagues talked about control. That is what this issue is about. Do not vote for an amendment that puts an end to a practice that leads people in our country to believe that something is wrong with the way we conduct business in Washington. Do not respond to what people want us to do now. Continue with this practice, as egregious as it is, and do it because of control. That is what I heard my colleague say from Kentucky, that this is about control.

I thought it was about merit. I thought this was about reform. I thought this was about the Congressional Accountability Act. I thought this was about making Senators more accountable. I thought this was about good government.

Mr. President, I may or may not be a little out of line. I am just speaking for myself as one Senator from Minnesota, but if the definition of control now in the Senate is that, by definition, any amendment introduced from our side of the aisle bumps up against control and, regardless of merit, will be voted down, that is very different from the way in which I thought the Senate operated—at least during the time I have been here. If that is what this is all about—control—then I will have this amendment on gift ban up on the floor over and over and over again, and I guess we will be talking about control and control and control over and over again.

I thought that this was a legislative process, a democratic process, an amendment body, and Senators voted amendments up or down on the basis of their own independence and on the basis of merit, not on the basis of control.

So, Mr. President, I yield the floor for the moment, but I would be interested in some response by my colleagues on the other side of the aisle, since I do not think people in the United States of America in this past election voted for control. They voted for good change. They voted for reform. They voted for reaching beyond our parties. They voted for doing the right thing, albeit people have different definitions of doing the right thing. They did not vote for control. I think this debate now about this amendment has become bigger than the amendment. It has a great deal to do with the way we are going to conduct ourselves here in the Senate. I would be interested in a response from my colleagues.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

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

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

#### SENSIBLE VIEWS ON CUBA

Mr. PELL. Mr. President, I would like to bring to the attention of the Senate a very prescient and sensible article about Cuba which appeared in the Winter 1994 Newsletter of the Duke Family Association.

The article, entitled *Fidel Fading: U.S. Should Play Role in Cuba*, was written by Biddle Duke, a journalist working in Santa Fe. He has visited Cuba twice in recent years, most recently last spring, when he served as an aide to two Washington-based public policy groups, the Appeal to Conscience Foundation and the Council of American Ambassadors.

Mr. Duke makes a strong case for modifying United States policy on Cuba. The economic crisis there has become so acute, he says, that it can be used in effect as a lever for normalized relations. He recommends that the United States send humanitarian aid and lift the embargo at least partially. While offering a hand of conditional friendship we should push for a free and open Cuban society.

I concur with Mr. Duke's views and I ask unanimous consent that his article be printed in the RECORD at this point.

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

[From the Duke Family Association, Winter, 1994]

#### FIDEL FADING: U.S. SHOULD PLAY ROLE IN CUBA

(By Biddle Duke)

Everywhere in Cuba one hears and sees the despair. A 24-year old engineer works three days a week as a building supervisor for less than the equivalent of three dollars a month, has two thin meals a day, meat once a week, and spends much of his time hanging out on Havana's waterfront. On Friday in April he is swimming off the rocks with this brother.

"We've got schools and doctors, but what good is that without food or medicine or jobs?" he tell an American visitor in Spanish.

In the same breath, he asks, "Can you spare some dollars?"

Then, sardonically, "Viva la revolucion."

Throughout the country, people seem to be waiting for something to happen.

They are a people waking from the dream of communist Cuba's heyday of the 1970s and '80s when Fidel Castro worked the world stage like a master of the game, and his face and his nation became synonymous with third world sovereignty and nationalism; when Cubans fought proudly for working class freedom around the globe.

They are waking from the glorious delusion of Soviet subsidies to the tragic anachronism of present-day Cuba. Cubans are all in something of national pause, standing on