

the use of race and gender preferences by the Federal Government in Federal employment, Federal contracting and in the administration of other Federal programs.

The principles of equal treatment and nondiscrimination on which this legislation is based, are principles which are at the heart of the American experience. They embody an ideal which generations of Americans have honored and sought to realize, an ideal to which we as a people have long aspired, but an ideal which we have never fully attained in our life as a nation.

The first Justice Harlan once said, "Our constitution is color-blind. The law regards man as man and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved."

With the passage of the Civil Rights Act of 1964, the Congress established a national policy against discrimination based on race and sex. It is the supreme irony of the modern civil rights movement that this crowning achievement was soon followed by the creation of a system of preferences based on race and gender, a system contrived first by administrative agencies and the Federal courts and then accepted and expanded by this Congress.

The 1964 Civil Rights Act constituted an unequivocal statement that Americans should be treated as individuals and not as members of racial or gender groups, an unequivocal statement that no American should be subject to discrimination, which Senator Hubert Humphrey, the chief Senate sponsor of the legislation, defined as a distinction in treatment given to different individuals because of their race.

The system of preferences is based on the notion that we can only overcome our history of discrimination by practicing discrimination. Those who support preferences believe that to guarantee the equitable apportionment of opportunities, Americans must be divided, sorted, and classified by race and gender. They assert that it is a responsibility of the Government not to create a level playing field for all Americans, but to determine outcomes based on race and gender.

My legislation to end preferences rejects this vision of America. It would overturn the status quo of race and gender preferences and return to the principles on which the 1964 Civil Rights Act was based. In place of group rights, it would establish respect for individual rights.

It is important to note that this legislation does not affect our comprehensive regime of antidiscrimination laws. All forms of racial and sex-based discrimination that are illegal under current law would remain illegal.

It is also important to understand that the bill draws an important distinction between preferential treatment and affirmative action. Preferential treatment is prohibited, and affirmative action, as originally con-

ceived, is permitted and expressly protected.

Under the legislation, the Government may continue affirmative action in the form of vigorous outreach and recruitment efforts. Steps taken to increase the size of the applicant pool for a contracting or employment opportunity, including steps targeted at women and minorities, are permissible, so long as at the decision stage all applicants are judged in a nondiscriminatory manner; that is, without regard to their race or sex.

Those who support the use of preferences have the burden of explaining why anyone should receive an advantage of any kind based on race or gender. Quite simply, they have the burden of explaining why it is just for the Government to discriminate.

The supporters of preferences based on race and gender need to face the truth. The truth is that the system of preferences unfairly denies opportunities to those who have been guilty of no wrongdoing, simply because of their race or gender, while granting benefits to individuals who are not victims of discriminatory conduct.

The truth is that the existence of the system of race and gender preferences unfairly casts a cloud over the accomplishments of individuals who are members of favored groups and deprives those individuals of the full measure of respect they are due for their individual achievements.

The truth is that the system of race and gender preferences sends a message from our Government to the American people that we should continue to think along race and gender lines, a message which only reinforces prejudice and discrimination in our society.

We should recognize once and for all that each American has the right to be treated by our Government not as a member of a particular race or gender group but as an individual American citizen equal in the eyes of the law. This Congress should end the unfair system of race and gender preferences and we should do it now.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from New Jersey [Mr. PALLONE] is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, today I would also like to address the topic of campaign finance reform. As the Members of the House know very well, the issue of campaign finance reform has been garnering a lot of attention lately. Newspapers and TV news have been very busy in documenting the excess and abuses, and there is plenty of blame to go around.

However, this House needs to be more constructive. In my opinion, it would be a complete waste of our time and the taxpayers' money if we spend hours and hours on hearings and merely use them to score political points.

Mr. Speaker, I believe it is the solemn duty of this House to move in a more positive, forward-looking direction, and the issue of campaign finance reform is best resolved through legislation, not accusations. We can criticize and pontificate to each other, but something has to be put on the table, and quickly.

For this reason, Mr. Speaker, last week the House Democrats triggered a procedural motion in order to bring this discussion to the House floor. I know there are many on both sides of the aisle who want to deal with the issue of campaign finance reform, but the bottom line is that the Democrats are in the minority and the Republicans are in the majority. It is because the Democrats essentially are in the minority and have not been able to bring this issue to the floor that it is necessary from time to time to use procedural motions to get the Republican leadership to respond to this issue. It was necessary last week, since the House Republican leadership has so far not taken up campaign finance reform as an issue.

President Clinton challenged this House to bring the issue to a vote by July 4 and, instead, this House, for months, has embarked on a schedule so insipid and unambitious that even conservative pundits and rank-and-file Republicans are beginning to admonish their own House leadership. So far, essentially, the House Republican leadership has not responded.

Mr. Speaker, I just wanted to point out that when the Democrats were in the majority we were very active in trying to reform the campaign finance system, though oftentimes we were thwarted in our efforts. The very first campaign finance bill, which was passed following the abuses of the Watergate scandal, was passed by a Democratic majority.

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Then in 1989 the Democratic majorities in both the House and the Senate passed campaign finance reform only to have the bill vetoed by then Republican President George Bush. Most recently, during the 103d Congress, with both the House and the Senate in the Democratic majority and a Democrat in the White House, the House passed H.R. 3, that year's campaign finance reform bill, by a vote of 255 to 175. The Senate then passed S. 3 by a vote of 60 to 38 after several weeks of Republican delay, including 24 separate votes on amendments. Democratic leaders of the Congress announced a compromise bill then between the House and the Senate versions, but the Republicans in the other body successfully led a filibuster to prevent the Congress from doing its work and drafting a final bill.

Mr. Speaker, the habit of Republican filibusters in opposition to campaign finance reform also goes back to the 102d, the 101st and the 100th Congress. Mr. Speaker, there should be no doubt in my mind that the Republicans clearly have no problem with the current

system, which of course includes the PAC's and the soft money and the independent expenditures.

Just for the record, the Republicans did put forth a campaign finance reform bill during the last Congress, but that bill received a paltry 162 votes in a House comprised of 230 Republicans. I think that was an indication of just how little the Republican leadership wanted to change the campaign finance system.

The record I think is clear that the Democrats have put up serious legislation to deal with this issue and the Republicans have not. The Democrats in this House have known for years that the current system is flawed and is too easily abused, and basically what we will do, with procedural motions or however it has to be done in this Congress, is that we will continue to fight for reform in spite of whatever delays and inaction that the Republicans put forward. Over and over again in the next few weeks and the next few months until the Republican leadership agrees to bring campaign finance reform to the floor, you will see the Democrats continue out there calling for reform, calling for action.

I know there are several bills out there. I know that my colleague, the gentleman from Virginia [Mr. MORAN], and my Republican colleague, the gentleman from Tennessee [Mr. WAMP], both mentioned their efforts on a bipartisan basis. Clearly there is an effort here amongst the rank and file, I think on the Republican side, to try to come together on some kind of bipartisan bill that we can all agree on, but so far the Republican leadership has not allowed this bill or any kind of campaign finance reform to come to the floor, and I think that they have the blame at this point for not pushing on the issue.

PROPOSED LEGISLATION TO END GOVERNMENT SHUTDOWNS

The SPEAKER pro tempore (Mr. DELAY). Under the Speaker's announced policy of January 21, 1997, the gentleman from Pennsylvania [Mr. GEKAS] is recognized during morning hour debates for 5 minutes.

Mr. GEKAS. Mr. Speaker, I hope that I will lay less blame on the opposition than we heard from the previous speaker on the particular issue that he was addressing, because I want to talk about something that affects all of us and on which we can all participate to bring a good government result.

When I came to the Congress in 1983, I learned very quickly that this Congress, the Congress of the United States, then and now, is very faulty in meeting its budgetary deadlines. September 30 comes and the next fiscal year begins the next day, on October 1. Yet, on almost every occasion since I came to Congress, we have failed to meet that deadline. What does that result?

One thing that happens almost universally is that we enter into a period

of temporary appropriations to keep the Government going pending the final budgetary result, and so those continuing resolutions, the temporary funding, takes us to our next step, another deadline, and then we fail to meet that one and we go into more temporary funding and the full budget is put off sometimes for a period of a year.

That is bad fiscal management under laws which we, the Congress, have passed to govern ourselves in the business of good government. What happened then is that we actually shut down the Government eight times since I have been a Member of Congress. I do not know how many times before that. The Government actually shut down about eight times.

Being desperate to try to bring about an end to this shutdown business, I went before the Democrat-controlled Rules Committee of that era, in 1989 or 1990, and offered a piece of legislation which would end Government shutdowns forever. How does it work? If on September 30, the end of the fiscal year, we have learned that we have not passed a budget timely and before the deadline that would come midnight that day, my bill would call for an instant replay the next day of last year's budget, thus averting the Government shutdown, continuing the effect of Government throughout a period, never depriving the Congress from getting down to business and passing a new budget, but in the meantime we would have an ongoing budget, albeit at last year's figures, until such time as the budget negotiations can produce a final budget.

Well, the Democrat-controlled Committee on Rules slapped me down time after time after time, from 1989, 1990, 1991, 1992, 1993, and 1994. Finally in 1995 I felt that we were going to have a great opportunity here because now the Republicans on the Committee on Rules would be controlling the agenda. So I went before the Republican-controlled Rules Committee for the purpose of introducing my legislation and getting approval for full floor debate. And what happened? I was knocked down by my fellow Republicans in this endeavor.

The reason that has been advanced is that adoption of my legislation would rob the appropriators of the leverage that they see at their disposal of bringing about a certain kind of result and pressure to suit the appropriations process, which is so murky to me that it does not survive close scrutiny. So I am imploring my colleagues to take a fresh look at the legislation which I have offered.

By the way, the Senate, the other body, has adopted in principle the idea behind my bill and they invited me over to a press conference, did those Senators who prefer this kind of legislation, and we had a joint result of an acceptance in principle of the prevent shutdown legislation. They are going to try to include it in the supplemental

appropriations which are forthcoming in the next month or so.

On our side, on the House side, Congressman ISTOOK and Congressman MCINTOSH recently issued a letter in which they support the principle which I have outlined in my legislation. We do not have to stick with the percentages of money figures that we are talking about, but the principle of preventing Government shutdown by a transition piece of legislation that would carry us into a new fiscal year without any shutdown of Government, still leaving the Congress the opportunity to present and pass a new budget.

The other encouragement that I have received is from individual Members of the House and of the Senate who have sought ways and means to try to get this before the Congress of the United States, both in the House and the Senate.

Mr. Speaker, there are many off-beltway groups who deal with the Government that also support my legislation.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Tennessee [Mr. FORD] is recognized during morning hour debates for 5 minutes.

Mr. FORD. Mr. Speaker, I rise today in echoing really what some of my other colleagues have gotten up today to talk about on both sides of the aisle, calling for sweeping campaign finance reform.

We live in the greatest representative democracy in the world, Mr. Speaker. But the massive amount of money that has found its way into our political system threatens to eclipse one of democracy's fundamental principles that everyone's vote counts the same.

In the 1996 elections over \$2 billion was spent in our political election system. More than \$2 million of that was soft money. Some individuals contributed \$2 million or more to one political party or another.

Today, Mr. Speaker, elections are financed by a small minority of Americans. Less than one-half of 1 percent of the electorate gives contributions in excess of \$200. Over the past 30 years less than 20 percent of the electorate has contributed to elections.

Americans feel alienated from our political process, and they are demanding that we take action. Everyone involved in this system must be a part of the solution, both Democrats and Republicans. We must limit PAC contributions, restrict the use of soft money and temper the influence of independent expenditures by outside advocacy groups. In addition, we must give the Federal Election Commission real teeth to investigate, report, and discipline candidates who break the rules.

Finally, Mr. Speaker, the public airwaves belong to the people. An exponential increase in the cost of television advertising is preventing candidates from communicating with voters. The rise of the digital age presents