

lacked the independence from the bureaucracy it needs to fix the problems, and because we believe the agency needs input from outside its own headquarters.

I assume the administration agrees with this observation, because it, too, has proposed an oversight board. The problem with the administration's board is that its members would come from the same bureaucracies that created the problem we heard about last week. Taxpayers would have no input except through an advisory panel, and the board they propose would have little real power. In fact, all 14 expert witnesses, as I said earlier, testifying before the Ways and Means Committee said they do not support the administration's IRS governance proposals.

The administration contends our oversight board would consist of self-interested CEO's. This is quite simply, and quite directly, false, and the administration knows it. They have read our bill. They know what is in it. And they continue to describe it inaccurately in order to get people to presume they should oppose it.

Our proposal is for a nine-member board, two of whom will be the Secretary of the Treasury and a representative of Treasury employees. The other seven could be anyone who the President appoints and the Senate confirms—anyone. A small business owner in Lincoln, NE, can be on this board, as a taxpayer advocate from anywhere in America. "CEO" does not appear in our bill. I do not know where the administration has concocted this ruse, unless they fear that CEO's are who this administration will appoint.

The administration also claims a board run by taxpayers is a recipe for conflicts of interest. At root, this is an argument that the vast majority of taxpayers who do not work for the Government lack the necessary moral rectitude to participate in reforming the Government that belongs to them, and I strongly disagree. Americans who work and pay taxes in the private sector contribute to Government all the time. In fact, one of them is the Secretary of the Treasury today. He ran one of Wall Street's most elite firms. I presume that whatever mechanism has been sufficient to protect him against conflicts of interest would also be sufficient to guard against conflicts of interest by members of this board.

Finally, it seems to me the administration is intent, perhaps determined, on preserving the basic structure of the status quo. They wish to strand the IRS in the labyrinth that is the Treasury Department's bureaucracy and is the same bureaucracy that has failed to run the IRS in a manner that gives citizens confidence.

The problems at the IRS are not this administration's fault alone, but I cannot help but observe that if the Treasury Department had done a great job running the IRS the last 5 years, I might be more convinced that they ought to keep running it. But the sim-

ple truth is, they haven't. Perhaps the best summary of the administration's proposal is this: If you like the service you get from the IRS now, you'll love the administration's IRS protection bill.

Having responded in kind, Mr. President, I still hope the administration will start participating in this debate constructively. I still believe we can work out our differences, which are not great, as long as they begin to tell the truth about Senator GRASSLEY's and my plan.

Regardless, Congress needs to proceed as quickly as possible to enact changes in the law which will result in the best practices being applied to the operations of the IRS. Americans want an IRS that can quickly answer the question, How much do I owe; an IRS that is customer oriented to those payers willing to voluntarily comply as is a commercial bank to its customers; an IRS that knows it had better be right when it comes after a taxpayer for collection, otherwise it will pay for wrongly accusing a taxpayer of being delinquent.

In the interest of those Americans who voluntarily comply but who struggle with a complicated code, a confusing service policy, incompatible information systems, and the fear that they could be the next in line for harassment, the time has come for Congress to act.

Mr. President, it is time the IRS starts working for the American taxpayer. To further delay is to ask millions to suffer unnecessarily. I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). Who seeks time?

Mr. FAIRCLOTH addressed the Chair.

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

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mr. FAIRCLOTH. Thank you, Mr. President.

The managers are here to accept amendments to the District of Columbia appropriations bill, and I remind all Senators that we intend to complete action on the bill today. I encourage any Member to come to the floor immediately if you have any amendments or to advise the staff if you intend to offer an amendment.

Mrs. BOXER. Will the Senator yield?

Mr. FAIRCLOTH. I will yield to the ranking member on this bill.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Thank you very much, Mr. President. I just want to reiterate to our side that if there are amendments, we are here, and we are very hopeful to move this bill through. The chairman and I work well together. We are just waiting for colleagues from both sides. We think this is an impor-

tant bill. We think there are a lot of good things, and we want to move them forward. We are hoping people will come down at this time.

I ask unanimous consent to speak as in morning business for up to 12 minutes.

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

Mrs. BOXER. Thank you very much, Mr. President. If I do see colleagues who are here to offer amendments to this bill, I hope they will let me know, and I will make my remarks brief.

CAMPAIGN FINANCE REFORM IS A PRESSING MATTER

Mrs. BOXER. Mr. President, I was listening to the news this morning, and the reporter said, "The Senate has agreed to set aside campaign finance reform and go to more pressing matters."

I thought to myself, campaign finance reform is a pressing matter. It seems to me there can be no more pressing matter. We ought to deal with this issue of campaign finance reform and let the chips fall.

We have a lot of parliamentary games being played. One of my colleagues, Senator DORGAN, said earlier that if the American public was listening this morning and heard somebody say, "There is a poison pill on a tree that has been filled," the public would not really understand what we were talking about. When we talk about a poison pill, we are talking about an objectionable amendment that is extraneous to what we are trying to do being offered in an attempt to kill the underlying bill. Filling the tree means using a parliamentary tactic to prevent opponents of an amendment from offering any changes to that amendment. So I apologize to the American public if they tuned in and heard somebody talking about a tree being filled with poison pills because it does get confusing.

But the matter is not that confusing. The matter is, how do we finance our campaigns, and can we improve that system? I think all of America is crying out, "Yes, we can improve it." Only a few say, "Don't touch it, it is great, and money is speech."

Now, it is true that a divided Supreme Court did equate spending as much money as you have with the right of free speech. But that was a close call. It seems to me our Founders would be turning in their graves if they believed at the time they stood up for free speech that it really meant "only if you are rich," because, folks, that is what it is about.

I am proud of my colleagues, RUSS FEINGOLD and JOHN MCCAIN, for pressing this matter across party lines, and standing up for campaign finance reform. I am proud of both of them because it is not easy. The status quo around here is what people like the best.

I have to tell you, when I think about speech, I think about both sides of it. If

you have an independently wealthy billionaire running against you in a State like California, and he writes checks every day and bashes you on television every day and bashes the other opponents that he is running against every day, I believe we should ask, what about the free speech rights of the opponents? What about the speech of the other people that are drowned out because of money? If you equate money and speech, it seems to me you are saying someone who is wealthy has more speech rights than someone who is not.

This is not the American way. We are all created equal. That is the basis of who we are as a nation. I really hope that we can get past this notion that money is speech and that we will move forward with a comprehensive bill.

My one disappointment with the substitute pending before the Senate, is that it is not as comprehensive as the first version of the McCain-Feingold bill. However, I respect the judgement of the Senators that it would be best at this time to zero in on two horrible abuses of the system.

One abuse is the soft money abuse, which means unregulated dollars of any amount that flow into political parties. We have seen the hearings that are going on by this U.S. Senate and over in the House. If anything, we come away with this: Let's put an end to soft money. We could point fingers all day—this politician, that politician, where the calls were made, who made them—but I guarantee that gets us nowhere. The issue is the system. There will be enough examples around from both parties. This is not the problem.

So if we get exercised about these hearings—and I have seen colleagues here who are very exercised about them—they should go over to JOHN MCCAIN and RUSS FEINGOLD and tell them they are on their side. There ought to be some controls on the soft money contribution, and those controls are now pending before the Senate. The second area of abuse tackled by the McCain-Feingold bill is the so-called issues advocacy advertisements. This is where you take an organization with endless sums of money to put into an attack ad against the candidate they don't like.

Under current law, individuals can only give \$1,000 in the primary and \$1,000 in the general to the candidate, but issues advocacy has grown into huge loophole. These so-called issues ads are not regulated at all and mention candidates by name. They directly attack candidates without any accountability. It is brutal. I have seen them. I have seen them from both sides.

I can tell you, it is totally unfair and totally unregulated and vicious. It is vicious. We have an opportunity in the McCain-Feingold bill to stop that and basically say, if you want to talk about an issue, that is fine, but you can't mention a candidate. If this is truly issue advocacy, you can't mention a candidate a few weeks before the election.

If you want to talk about an issue day and night, talk about the issue, whether it is choice, the environment, health care, gun control—talk about it. But once you attack a candidate, that is not an issue ad. This is what the Feingold-McCain will go after.

I think we owe a great big thank you to those two colleagues for pushing this and moving this. I have to say that I am very disappointed at some of the debate, because one of our colleagues who is leading the charge against this says, "We are going to kill this bill and we're going to be proud to kill this bill."

I don't know why someone would feel proud to kill a reform bill that the American people want to see us do. I don't think it is a proud moment. I don't think it will be a proud moment if we can't move this forward.

I am both hopeful and fearful at this point. Hopeful because, as long as we are here in this body and this measure is pending and the people are listening, there will be an outcry for reform; but I am fearful because of some of the statements I have heard.

Let me close by saying what it is like to run in a State like California. I am told by the people with the calculators that if you figure out how much a candidate from California needs to raise in 6 years to run for the U.S. Senate, you would have to raise \$10,000 every day, 7 days a week, in order to meet your budget. That is not right. That is not the way I think the American people want us to spend our time. I also don't think the American people want to make this an exclusive club for multimillionaires.

If we get to that stage where everyone here is independently wealthy and they really don't understand what life is all about, I think we will lose a very special aspect of what a representative democracy is.

I am hopeful we will rise to the occasion. We have done it before in this body. We have a chance to do it again. I see the Senator from Minnesota is on his feet, and I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. While we are waiting for amendments, I ask if I could have up to 15 minutes to speak as in morning business.

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

Mr. WELLSTONE. Mr. President, I want to pick up on some comments made by the Senator from California. First of all, I express my disappointment that we are really not debating this campaign finance reform bill. There are a lot of games that are being played right now.

What we have—my colleague from California was saying there is no reason to talk about filling up the tree and poison pill provisions—but what we have going on here is an amendment introduced by the majority leader that has an Orwellian title called the Paycheck Protection Act. It is really kind

of a union label working people gag act. In any case, it is a killer amendment and has no business being on this bill.

Senator DASCHLE, the minority leader, has said if the majority leader wants to have a debate on this division provision, we will deal with it separately. We will agree to a debate on it. We will have amendments and we will deal with it.

But what is going on right now is that this amendment and this effort to fill up the tree means that there is no way in which other Senators can introduce amendments. For that matter, I don't see us having much of a debate. I am hopeful we will get back to this debate.

I want to be clear with people in the country that the fact that you have a campaign finance reform bill hanging out there on the Senate calendar, I guess starting at the end of last week and yesterday, Monday, doesn't necessarily mean we have really a high-quality debate. I am not even going to speak that long because I want to wait for colleagues to come out here on the other side and have a full-scale debate on this piece of legislation.

Mr. President, we are very close to passing a reform bill. In many ways I am pessimistic because I think this amendment that the majority leader has introduced is an amendment which may very well destroy our chances for passing reform legislation if it passes. On the other hand, I think people in the country are pretty smart about this. I think they see it for what it is. My hope is that there will be a few more Republicans that will join Senator MCCAIN and Senator COLLINS and Senator THOMPSON and Senator SPECTER and we will have the ability to defeat this amendment and then go on to the McCain-Feingold bill.

I am willing to admit people have different views about how to solve this problem. I am convinced this is the core problem. I don't think there is a more important issue. I think people in the country know it. The problem is that people hate this system and they know it, and I think they believe that Government too often responds to the interests of the wealthy and powerful and not them. I think they are probably right. Even though I think individuals here in the Senate and the House have a highly developed sense of public service, people can agree to disagree, but systematically you have a huge imbalance of power because this whole political process has become too dependent on the heavy hitters and the investors and the givers and the people who have a whole lot of money. That tilts the system in a very dangerous direction toward the very top of the population, and it leaves the vast majority of people out.

It also means we have a very, if you will, distorted debate on issues. I don't think it is any accident that ultimately when it came down to how we did deficit reduction, a good part of

many of the areas we made reductions in affected vulnerable people, low- and moderate-income people who are not the big givers. I don't think it is any accident we left most of the tax loopholes and tax deductions alone, because then we would have had to take on the big givers. I don't think it is any accident that there are a whole lot of questions that deal with concentration of power. I will take the telecommunications industry, since I think we made a big mistake when we passed that piece of legislation. I think the flow of information in a democracy is the most precious thing we have, but in a way this whole issue of concentration of power gets taken off the table.

I don't think it is any accident when we were debating universal health care coverage very fine Senators would say to me, "There is no way we can take on the insurance industry given the power of the insurance industry."

This is very corrupting in a very systematic way—not in an individual way, but in a very systematic way. I just say I think if we don't get the job done or if we don't at least get half the job done or if we at least don't get a quarter of the job done, I think people will be disillusioned and they will have a right to be. We will have given them every justification, every reason for being disillusioned with us.

Now, Senator MCCAIN and Senator FEINGOLD are both close colleagues and good friends. Senator FEINGOLD is my colleague from the State of Wisconsin. We have all worked together on these reform issues. I was proud to be one of the original cosponsors of the bill with Senator THOMPSON. What we had was an original—it's a little like hot sauce; we have the McCain-Feingold original formula, and we have the McCain-Feingold extra mild, which is the new formulation. The extra mild is meant to get us past the filibuster and any diversion from the majority side, and I hope it does. But I have to say that I don't even think the extra mild has enough zing in it. I know this is a good-faith effort to move us forward.

Let me talk in very concrete terms about what all this means for people in the country. I will get back to this in a more extensive way when we have the debate. What has already been dropped out, I think, is a shame. I think Senators FEINGOLD and MCCAIN are disappointed, but they are trying to move forward on some reform. What has been dropped out of this is the agreed-upon spending limits, reducing the amount of money that is spent in exchange for discount broadcast advertising time and direct mailing expenses.

In other words, the very part of the legislation that actually would have reduced the amount of money spent in our races, Senate and House races, has been taken out. Actually, the one provision of this bill that I think would have led to a more level playing field has been taken out already. I think that is a shame. The reason that I got

so involved in this whole debate about reform from the word go was because I just think an obscene amount of money is spent. The reason I got involved was, back in 1989 and part of 1990, it was so disillusioning to me to have just about everybody I talked to tell me I didn't have a chance to win because I didn't have access to the money. That is all people would talk about.

Actually, the provision of this legislation that directly deals with our raising money and our spending money in our campaigns and the connection to how we vote—even though I think all of us hope there is no connection, it certainly looks that way to people—has already been taken out. What is in this piece of legislation that I think is important—there is one provision I disagree with. In the aggregate we have now raised the amount of money individuals can contribute from \$25,000 to \$30,000 a year. I would not raise individual contributions at all. I think that just intensifies the problem of those people who have the big bucks being able to contribute more. Most people in North Carolina or Kansas or Minnesota cannot afford to contribute \$100 a year much less collectively \$30,000 a year.

But we are now down to, as I said, an extra mild version. It doesn't have enough zing in it, from my point of view. But I understand it would represent a step forward if we keep it intact. Part of that deals with the unregulated money, the soft money, that goes to parties. I think it is terribly important to prohibit that because obscene amounts of money have been spent. We really saw that in the Presidential election. It essentially has become such a loophole that it has made people utterly disgusted with the system. A lot of what people have read about and heard about on TV has to do with soft money.

There's a second part which my colleague was talking about, independent expenditures. It's the issue advocacy ads, which are terribly important to talk about because this is a huge loophole. If this gets stripped out of this piece of legislation, we will be making a huge mistake. I don't need to tell the people in Minnesota who followed the last election because there was about a million dollars spent on issue ads. They essentially run these ads on television and they bash you if you are a Democrat or a Republican—it depends who is doing it. They just don't say vote against you. There is no spending limits at all. So a huge problem, again, is with the unregulated money, which can be the soft money, which means that people can be contributing huge amounts of money to this, obscene amounts, which is used to buy elections.

What this piece of legislation says is you can't do those ads. It becomes express advocacy if you do it in a 60-day period prior to the election and you use the name of the candidate. This is the bright-line test, which makes a whole lot of sense. You can't have perfection

here. But if you drop that provision—and I know a lot of colleagues want to drop that provision—then what you will do is stop the soft money to the parties; it is just like Jello, you push in and it will all shift over to these issue advocacy ads. You will have all sorts of groups and organizations, and some you might like and some the Chair might like, some the Senator from North Carolina might like, some I would not like, but that is beside the point. You are going to have the same unregulated, obscene amount of money, no accountability, being spent in these elections, adding to the disillusionment of the people and used, by the way, for these attack ads, where they have been raising millions of dollars figuring out how to rip their opponent to shreds or how to prevent themselves from being ripped up into shreds. Hundreds of millions of dollars are spent like this, and it does not add one bit of information for one citizen in the United States. No wonder people hate this system. We ought to really try to build a little bit more accountability into this.

Well, Mr. President, these are important provisions that we are talking about here. I think that this represents a huge step forward. Mr. President, what I would worry about—and I will sort of finish up this way—is these three scenarios, and when we get into the debate, I can go into all of them in more specifics. One scenario is that we have the majority leader's amendment. It really is, as my colleague said, extraneous to this legislation. We can have a separate debate on it later on. It is really essentially a union gag, worker gag amendment. It is harsh. It should not be on this bill. If it passes—and I think we can have the votes to defeat it—then we reach a huge impasse. I suppose that people can think we have a clever strategy here. But most people in the country know this is nothing more than an effort to waylay the whole reform effort. It won't work. We are only a vote or two away from defeating it. I think we can have Republicans and Democrats join together to do that.

The second scenario I worry about as well, which is an already stripped-down version of McCain-Feingold, you will have the 60-day accountability on the issue ads taken out. You will raise campaign contributions and you will wind up with a piece of legislation that will have a fine-sounding acronym, that made-for-Congress look, but as a matter of fact, it will just shift the amount of money, spent in a different way. It will be an obscene amount of money. It will still undercut democracy. You will still have all of this money spent, and when people in the country find out that not much really has changed, they will be furious, discouraged, disengaged, and none of us benefit. I hope that doesn't happen.

The third thing that could happen is that the McCain-Feingold, what I called extra mild, the new formulation,

will pass. Again, there is not enough zing in it, from my point of view, but I think it would represent a step forward. I mean, the provisions in the McCain-Feingold extra mild would be a step forward. It would be a reform effort. It would build some more accountability into the system. It would lessen some of the money that was spent, and I think it would give people some confidence that we are serious in this Congress about trying to change this system, this mix of money and politics, which so severely undercuts democracy.

Now, a final point, if I have 2 minutes left. There is a whole lot of energy around the country at the State level. I mean, Vermont just passed a clean money election option. Maine passed it. I know that Massachusetts is going to deal with this question. This is an effort that I love. I have introduced a bill with Senators KERRY, BIDEN, and GLENN which basically says we are going to get all of the private money out, the big dollars out, and I think ultimately this is the direction we have to go in. I will tell you something. People around the country at the State level are saying yes to that.

So, colleagues, people are serious about reform. This is one of those moments in time. As the Senator from Minnesota, I am very discouraged that we are not out here debating this. Let's finish this appropriations bill that my colleagues from North Carolina and California are managing, the D.C. appropriations bill, and let's have the debate on campaign finance reform. Let's not have amendments out here that are nothing less than an effort to destroy this reform effort. Let's debate the stripped-down McCain-Feingold measure and get on and pass the reform bill.

I yield the floor.

The PRESIDING OFFICER. The time of the Senator has expired.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mr. FAIRCLOTH. Mr. President, I yield to the Senator from Vermont 40 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 40 minutes.

Mr. JEFFORDS. Mr. President, I don't anticipate taking very long. I want to raise a very important issue relative to the District of Columbia. First of all, I want to commend the subcommittee chairman. I served just ahead of him in that capacity. I know of the tremendous responsibility he has, and I have admired the way he has been handling his job. I have also admired the way they have put the bill together this year to help the city of Washington.

But there are problems that are really beyond the possibility of the subcommittee to correct. These are what I want to discuss today. First of all, let

us remember what the important issues facing this Nation are and reflect and look at the District of Columbia with respect to those. The District of Columbia, as we all know, is the Nation's Capital. But I think sometimes we Members have a tendency to forget that we are responsible now for the city of Washington. We, in 1974, turned the city over to home rule. As that experience turned out to be rife with difficulty for the residents of D.C., Congress made efforts to become more vigorously involved with the city's governance. By getting more directly involved, particularly with regard to the education system, we therefore made ourselves, the Members of this body and the House, directly responsible to the people of the District of Columbia. And furthermore, we became more directly responsible to the people of the Nation overall that we would have to do what is necessary to make this Capital a capital we can all be proud of.

Can you be proud of the United States Capital when the top issue in this Nation right now is education and here in Washington we continue to have some of the lowest educational scores and standards in the country? We are doing our jobs as leaders in a major metropolitan area; how can we turn this city into a model for the Nation to show how we can take the cities and help them become educational enterprises that are functioning well and that are delivering our young people into society with the skills they need to be able to make this Nation strong?

This is a national problem of the highest priority. But let us take a look at the District of Columbia and where we stand as far as what we are doing for it and the distance that we have to go. As I said, I had the job that the Senator from North Carolina has, the chairmanship of the subcommittee, and I took that responsibility very, very seriously. Working with Congressman GUNDERSON on the other side, we developed an educational program for the city. We worked long and hard at it. We got it approved, and it is in law. It sets out the goals and methodology and the means for us to take this city and turn it from the worst—and I will explain that later—in educational results of any city in this country.

Second—and I will talk about that even more quickly—we also have about the worst infrastructure of any school system in this country—the worst. So if we are going to make real progress in turning this education system around we have a long way to go.

We set the framework a couple years ago when we took over the city. We created, first, the Control Board, which now has more of the mayoral responsibilities, or is more analogous to a board of aldermen. They then created a school board to take a look and see what they could do to take this city and to change it into a city that we could be proud of.

We have all recently noted that the schools didn't open on time. Children

were ready to come in, but the roofs were leaking, books had not been delivered. What happened? We had an amount of money for emergency repairs that had been appropriated—but that money, about \$86 million came from the remainder of existing funds, and other one-time piece meal funding, not through a dedicated, sustainable revenue stream. It will just not be the right way to go to meet the needs we have, particularly with regard to infrastructure.

Take a look at this chart. You can see that if this situation is not the worst in the Nation, it is pretty close.

Look at these statistics from a General Services Administration study, which I will make a part of the RECORD, which goes through these infrastructure categories item-by-item to show where this city is.

Exterior walls: The national average for having problems is 27 percent. We have 72 percent of our exterior walls and windows which are bad and not meeting codes.

Next one: Roofs. This probably has improved a little since we spent \$70 million fixing roofs this fall. But a year ago, only 27 percent of the schools in this country had poor roofs—but in the District we had 60-some percent of the roofs that were not meeting code. This does not mean they are beautiful; they just do not meet the code and safety violations.

Heating and ventilation, and air conditioning: The national average, 36 percent below code; Washington D.C., 66 percent.

Plumbing: Sixty-five percent of the plumbing doesn't meet code in D.C.'s schools—65 percent.

Electrical and lighting: Fifty-three percent of the District's school's are in code violations in this category.

Life safety codes: Fifty-one percent of our schools are in violation of life safety codes. Would you trust your own children to that? I think not.

Power for technology: This is where we are doing the best, fortunately. But, still, 41 percent of the schools don't have power to utilize technology.

I am talking here about the Nation's Capital, the city that we would like to point to to show as an example of how a school system should be run.

Keep that in mind.

Let's take a look at this next chart to see what is going to happen.

For 3 years in a row we have had the schools not opened on time because of violations. Well, this is according to the GSA. The amount of repairs, cost of repairs to meet code, plus some other essential repair: \$2 billion—that is with a "b"—2 billion dollars' worth of repairs that are necessary in order to get our schools in compliance with the safety codes and other codes.

We managed to get \$86 million available this year. That was the high point. We put \$50 million the year before. Divide \$86 million into \$2 billion, and you will see that somewhere between 20, 30, or 40 years from now depending on