The McCain-Feingold bill also increases disclosure requirements for campaigns, so that the public will be able to see much more clearly the sources and the amounts of all contributions that any candidates accept.

It is time for Congress to stop talking about reform and start acting to make it happen. This bill is not a perfect bill. All Senators can find some provision in it that they do not like. But the McCain-Feingold bill is an honest reform and the best hope to end the most flagrant abuses under the current system. I urge Democrats and Republicans alike to support this bill and send it on to President Clinton, so that we can clean up the current mess and restore the voters' shattered confidence in our democracy.

It is time to take our campaigns away from the special interests and give them back to the people. It is time to make our democracy worthy of its name.

Mr. President, I am not sure whether these have been printed in the RECORD so I will ask unanimous consent to print in the RECORD two editorials, one from the Washington Post and one from the New York Times, that comment on our Republican leader's amendments and parliamentary maneuvering so as to require the first and only vote that will be available to the Members of the Senate to occur on his particular gag rule on American workers.

The Washington Post says in the first sentence:

Senate Majority Leader Trent Lott, having magnanimously allowed campaign finance reform legislation to come to the floor, now proposes to kill it with an amendment affecting the use of labor union dues for political purposes. . . .

Everyone understands what kind of vote this is—a vote not on labor law but on campaign finance at one remove.

They have it right.

And the New York Times points out in its editorial:

Trent Lott, as expected, has come up with a perverse stratagem to kill campaign finance reform this year. . . . Mr. Lott's purpose today is to scuttle the bill by making it unacceptable to Democrats. . . .

[Members] should realize that if they let Mr. Lott kill the bill by subterfuge, their criticism of Democratic excesses will be mere opportunism and hollow rhetoric.

I ask unanimous consent that both of these editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 1, 1997]

LEADER LOTT'S AMENDMENT

Senate Majority Leader Trent Lott, having magnanimously allowed campaign finance reform legislation to come to the floor, now proposes to kill it with an amendment affecting the use of labor union dues for political purposes. He thinks he can summon the votes for the amendment, after which the theory is that the Democrats, who are the principal beneficiaries of labor support, will do the rest of his work for him by halting the underlying bill. The transparency offers him the best of both worlds: The bill will be defeated, but he won't have been the one to have done it.

The amendment would require unions to get the written permission of individual members before spending any of their dues for political purposes. The Paycheck Protection Act, its sponsors call it with mock solicitude. ''Our political system depends upon one's freedom to participate without even the slightest degree of compulsion,'' assistant majority leader Don Nickles says. But in fact under labor law such freedom already exists; there is no such compulsion. No worker in this country can be forced to join a union. In some states, workers covered by union contracts who decline to join can be required to pay the equivalent of union dues, but they already have the right, under a 1988 Supreme Court decision, to have the political portion of those dues refunded. The reform bill would codify that decision; the amendment would go beyond it, not necessarily incapacitating the unions but creating an extra hill for them to climb.

Question One is whether Mr. Lott is right in thinking he has the votes. Everyone understands what kind of vote this is—a vote not on labor law but on campaign finance at one remove. A number of Republicans have indicated support for the reform legislation—perhaps enough, assuming all 45 Democrats also vote no, to set the Lott amendment aside. Do they vote with their leader or do they vote for reform?

Question Two is what happens if Mr. Lott prevails. Once again it is a question of senatorial will Proponents of reform said before the August recess that they were willing to tie up the Senate—prevent it from taking any or most other action—until they got a clear shot at a clean version of the reform bill. You presume they meant not just a chance to talk for a few days, take a test vote on a deflective amendment and quit, rather that they intend to press for a straight up-or-down majority vote on the bill itself. Do they do it at the risk of violating the accommodative code by which the Senate normally lives, or do they cave? What finally matters most to them? That's what the vote on Leader Lott's amendment will begin to tell.

[From the New York Times, Oct. 1, 1997]

TRENT LOTT'S POISON PILL

Trent Lott, as expected, has come up with a perverse strateagem to kill campaign finance reform this year. The Senate majority leader would add a provision to the McCain-Feingold bill requiring unions to get approval from workers before using their dues or fees for political purposes. The idea might deserve consideration another day, but Mr. Lott's purpose today is to scuttle the bill by making it unacceptable to Democrats.

After months of disclosures about excesses in both parties, all 45 Senate Democrats have joined 4 Republicans to support the McCain-Feingold legislation, which would prohibit unlimited donations to the parties by wealthy individuals, labor unions and corporations. These contributions were at the heart of the access-buying scandals of the Clinton campaign, and they figure in the influence of money from tobacco and other industries on Capitol Hill. Mr. Lott knows there are nearly enough senators to approve the bill, so he wants a poison pill to repel Democrats and shatter its bipartisan support.

Only one additional Republican would be needed to join other Republican backers of reform to block Mr. Lott's plan. But it will not be easy for Republicans to resist his seductive amendment. Even two reformers, Senators John McCain of Arizona and Susan Collins of Maine, support the principle behind the amendment, though they have said they oppose the amendment itself as a threat to reform at this crucial point. Many other Republicans would like to vote for something that would punish labor for its recent campaign spending, particularly the $35 million that paid for attack ads directed at Republican candidates in 30 Congressional races last year.

The McCain-Feingold bill would codify a nine-year-old ruling of the Supreme Court holding that non-union members who pay union dues or fees as a condition of employment are entitled to demand that the fees not be used for political purposes. If Republicans want to vote on a broader provision giving that right to all union members, they should accept the Democratic offer to consider it on another day without the threat of a filibuster. It would only be fair to consider a similar curb requiring corporations, which outspent unions nearly 9 to 1 on politics last year, to get approval from shareholders when making political expenditures.

If the four Republican supporters of McCain-Feingold stand firm, only one other Republican will be needed to defeat Mr. Lott's disingenuous amendment. Senator Alfonse D'Amato of New York, no particular champion of campaign reform in the past, is in for a tough re-election fight next year and has always had the backing of at least some labor unions. Senator Jim Jeffords of Vermont, a long-time champion of campaign reform, should see the wisdom of standing up now. Senator Olympia Snowe of Maine, where campaign finance reform has been approved locally, can join with Senator Collins to save the reform legislation.

Other senators who have shown independence on this issue in the past, like John Chafee of Rhode Island, should also come to the rescue. Down the road, still more Republicans will be needed to save the bill, because it will take 60 votes to thwart a promised filibuster. For now, they should realize that if they let Mr. Lott kill the bill by subterfuge, their criticism of Democratic excesses will be mere opportunism and hollow rhetoric.

CENTRAL AMERICAN REFUGEES

Mr. KENNEDY. Mr. President, I would like to speak for just a few moments about a very special provision that is now before the Senate, which we will vote on next week, and that is the amendment which has been proposed by Senator MACK, Senator GRAHAM, and myself, which is pending on the D.C. appropriations bill. Without this amendment, thousands of Central American refugee families who fled death squads and persecution in their native lands and found safe haven in the United States would be forced to return to their countries. Republican and Democratic administrations alike promised them repeatedly that they will get their day in court to make their claims to remain in the United States.

Last year's immigration law, however, turned its back on that commitment and treated these families unfairly. This legislation reinstates that promise and guarantees these families the day in court they deserve—that's all, just the day in court they deserve to be able to make their case, which they were promised at the time they came to the United States, by Republican and Democratic administrations.

That particular guarantee was eliminated in the bill last year. It is the attempt by Senator MACK and Senator GRAHAM and myself to maintain that commitment to these families.

Virtually all of these families fled to the United States in the 1980's from El Salvador, Nicaragua, and Guatemala. Many were targeted by death squads and faced persecution at the hands of rogue militias. They came to America to seek safety and freedom for themselves and their children. The Reagan administration, the Bush administration, and the Clinton administration assured them that they could apply to remain permanently in the United States under our immigration laws. They were promised that if they have lived here for at least 7 years and are of good moral character, and if a return to Central America would be an unusual hardship, they would be allowed to remain. They have to meet those particular requirements and if they don't meet those requirements, then they are unable to remain in the United States. Last year's immigration law violated that commitment.

President Clinton has promised to find a fair and reasonable solution for these families, and the administration will use its authority to help as many of them as possible. But Congress must do its part by enacting this corrective legislation.

Earlier in the course of today's debate, our colleague from Texas, Senator GRAMM, talked at some length about this particular amendment and about the situation in which these refugees find themselves. I would like to just clarify and respond to some of the comments that were made earlier in the day.

The first comment was this legislation reverses our immigration laws enacted just last year. The answer is the law was changed on these families retroactively, we took steps, gave guarantees, and then took action. These families had very little to do with it, and now the law was changed. They played by the rules laid out by President Reagan, President Bush, and the Clinton administration. They were promised their day in court. But last year's law went back on that promise. All we are trying to do is to make sure they are given their day in court.

Then the comment was made that this should go through the Immigration Subcommittee, not on an appropriations bill. Our chairman, Senator ABRAHAM, spoke in support of this amendment. He is the chairman of the Immigration Subcommittee, and I am the ranking member. We are in strong support of this particular proposal, as I believe the members of the committee are.

The further point that was made by Senator GRAMM was we need to stop illegal immigration, that this is an amnesty. Mr. President, it is an insult to these hard-working refugees, and their families who have suffered so much pain and hardship and who relied in good faith on the solemn promise they were given to call them illegal aliens or call what we are doing an amnesty. Virtually all of these families are already known to the Immigration and Naturalization Service. They are not illegal aliens working underground. These are families who applied to come to the United States under INS programs, and they are here on a variety of temporary immigration categories. They have acted in accord with what our Government told them to do.

Not all these families will qualify to remain here under the terms of this amendment. They still must meet certain standards that existed in the law before the law was changed and applied retroactively. The Immigration Service estimates that less than half of those who qualify to apply to remain in this country will be approved. These families are law-abiding, tax-paying members of communities in all parts of America. In many, many cases, they have children who were born in this country and who are U.S. citizens by birth. They deserve to be treated fairly.

I just want to take a few moments to talk about who these people are. Zulema Balladares came to the United States from Nicaragua in 1986. If she is deported, she will be leaving her husband and four children who are lawful, permanent residents here in the United States. The Balladares have strong ties to the United States. They own their home, and two of their children serve in the U.S. Army, both served in Bosnia. Their children's ages range from 13 to 21 and have all resided in Miami for the past 10 years, the majority of the children's lives.

Justina Jiron entered the United States 12 years ago along with other family members. She has two U.S. citizen children. Her youngest, a baby, has a need for surgery and ongoing medical treatment as a result of a birth defect. Thankfully, she has health insurance to cover the expenses. However, unfortunately, if she is deported back to Nicaragua, her baby will not be able to obtain the needed medical treatment, because it is not available there. Since this lack of surgery and care is life threatening to the child, the deportation of Ms. Jiron will result in sending a U.S. citizen to death.

Enrique Sequeira, now 21 years old, came to the United States from Nicaragua at the age of 13 in 1988. He has been an outstanding student in the United States and has received numerous academic awards. In addition to excelling academically, Mr. Sequeira is a member of the Junior ROTC and has been involved extensively in community work in Miami. He was granted suspension of deportation November 1996, but the INS appealed that decision based on the Immigration Reform Law of 1996. If the INS appeal is granted, Mr. Sequeira faces disrupting his bright future and returning to a country he has not lived in since he was a young teenager.

Leonte Martinez is extensively involved in community service helping underprivileged youths of all nationalities in several church-sponsored programs. He owns his own home and earns $38,000 a year with medical benefits for his entire family. He has been in the United States since 1986. He is married to a lawful permanent resident, has three children, two of them U.S. citizens. His mother-in-law, a lawful permanent resident, resides with his family. Mr. Martinez was granted suspension of deportation in January 1997. According to the immigration judge, his was the best case she had ever heard. Apparently it was not strong enough, because INS is appealing in order to be able to deport him.

Finally, Roberto Bautista came to the United States 10 years ago from El Salvador. His wife and two children have been in the United States for 12 years. They are a typical upstanding American family. He and his wife hold down two jobs, pay their taxes, have no criminal histories, have health insurance, and have never been on public assistance. Their daughter graduated from the University of Miami and is presently employed by a graphic artist for a newspaper. Their son is an honors student at Georgia Tech, studying engineering, and was awarded the Silver Knight award by the Miami Herald for his outstanding volunteer service.

These individuals are entitled to have administrative process to make a judgment as to their ability to remain here in the United States or whether deportation would serve as a particular hardship. That is all we are attempting to do, under the Mack and Graham amendment. We ought to have enough respect for individuals and individual rights and liberties to treat fairly these families that were subject to extraordinary persecution in their own countries during a time of civil war, where many of these individuals were working and supportive of U.S. efforts to try to build a better country and democratic institutions. Because of the fear of terror, the death squads and others that were loose in the land, they came to the United States and have played by the rules. They were given certain assurances that, if they played by the rules, worked hard and supported their families, they would not be summarily dismissed, they would have a judgment that would be made to see whether they had participated in this country and made an important contribution to the life and well-being of this country.

I have given you a few examples, and there are scores of other examples, where people are giving back to the United States something for all that has been given to them.

I think this is a matter that should be favorably considered.

I am very hopeful that we will have the opportunity to vote on this. I believe we have overwhelming bipartisan support. I think I see a colleague from Pennsylvania, who is a cosponsor of this measure as well.

I yield the floor.

Mr. SANTORUM addressed the Chair.

Mr. LEVIN. Will the Senator from Pennsylvania yield for a unanimous-consent request?

Mr. SANTORUM. Certainly.

Mr. LEVIN. Mr. President, I ask unanimous consent that following the statement of the Senator from Pennsylvania, I be recognized to proceed in morning business for up to 20 minutes.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

Mr. LEVIN. I thank my friend from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

THE DEPORTATION OF IMMIGRANTS

Mr. SANTORUM. Mr. President, let me first address the issue the Senator from Massachusetts was referring to with respect to deportation of immigrants in this country. I am a very strong supporter of the Mack amendment. I believe people are entitled to due process and the right to be heard. Promises were made by many administrations and Congresses. These people were welcomed into this country as a result of the political strife that was going on in various countries in Latin America. I think it would be a true injustice for us to have changed the rules in midstream for many, literally thousands of people who are awaiting deportation hearings right now, to deport them in lieu of that hearing.

So I stand with Senator MACK and Senator GRAHAM from Florida, Senator KENNEDY, and Senator ABRAHAM from Michigan in support of the Mack legislation.

CAMPAIGN FINANCE REFORM

Mr. SANTORUM. The subject matter on which I want to spend the majority of my time speaking on is the issue of campaign finance reform. As Members have gotten up to discuss the issue, I think one might be led to the impression that those of us who oppose McCain-Feingold are not for any changes in campaign finance rules and that we don't see that there are some problems there. I want to make it very clear that, as a Senator who is on the Rules Committee, which is the committee that has the jurisdiction on this subject matter—we have been bypassed by these floor maneuvers but we do have jurisdiction and have looked into this subject quite extensively—that I don't know of anybody on the Rules Committee on either side who does not believe the current campaign finance system has some problems with it and there are things that we can do to fix it.

We disagree on how to do that. Let me just, if I can, draw the differences between how one side wants to do it and the other side; sort of the big picture, not really talking so much about specifics but a general philosophy. Then I will get into more specifics.

The general philosophy of those of us who oppose the McCain-Feingold approach is that we believe that we can fix the campaign finance system in this country by making it purely voluntary, so that no one is going to be forced to contribute to an election. That is something that you would think is as fundamental as any right that we have in this country, that you should not be forced by your employer, by your union, by your association, or by your family to contribute to anyone the resources that you have worked hard to earn. So, one general tenet is that contributing to campaigns must be completely voluntary. I think that is a tenet you would suspect would be universally shared. It is not universally shared. People in support of McCain-Feingold, by and large—there are some exceptions, but few—do not support the concept that campaign contributions should be voluntary. That is one difference.

Second, that we achieve a better campaign system, a better campaign and a better campaign financing system, by increasing participation, by having more voices in the political discourse, not fewer. Those of us who oppose McCain-Feingold strongly hold to that reading of the first amendment that ensures, guarantees, one of the highest guarantees in the Constitution, the right of speech, political speech, and political discourse.

In this country today, political speech does not mean—it means this, what I am doing. But it does not only mean standing up on the street corner and sounding off on what you believe in. These days, if you are standing on the street corner sounding off on what you believe in, basically you are labeled some sort of freak. We believe the first amendment covers organized political speech, that is, people who ban together, who want to speak on a particular issue and marshal whatever resources they have, whether it is resources in manpower to distribute fliers that they print at a half a cent apiece, or to buy a radio ad on a local radio station or to, in fact, hold public meetings and public debates. Whatever medium they want to use, I think is appropriate to be protected by the Congress and by the first amendment.

On the other side, you have people who want to limit that activity. They want to limit people's ability to speak in the political arena because they find certain kinds of speech offensive, like people who advertise in opposition to a Member of Congress or a Senator saying that they voted in such a bad way and don't vote for them, and they do it within 60 days of the election; that is bad; somehow people getting together and expressing their opinion in a public forum is a bad thing that has to be prohibited by the Congress.

I don't believe that. I don't like it when someone does it to me, and it's been done to me and it will be done to me unless we pass one of these bills that says you can't. By the way, even if we did do that, I believe the Supreme Court would strike it down in a heartbeat. But I believe it will be done again.

I don't have a problem with it, even though it happens to me, because I think people have a right if they don't like what I am doing to speak up about it, even if I think the attack is unfair, because I trust the American public. I know a lot of people around here on a pretty regular basis don't trust the American public, but I trust the American public and the voters of America to sort of figure out all of those things on their own with the help of all the other information that they are going to get from networks like C–SPAN2, as we are on today, and other independent sources, that that ad, as nasty as it is, as horrible as it is, is not going to change somebody's opinion overnight. People are smart enough to take all that information, realize it is an ad, discount it to the degree they usually do and filter it into the mix, as we do with all speech.

But the other side believes that it is dangerous speech. I believe that there is nothing inherently dangerous about speech; there is something inherently dangerous about limiting speech, because once we start to limit speech, then that takes freedom away from the masses, from the people and gives that freedom and control to a bunch of people in Washington, DC, who think they know what is best for you.

You probably hear many Senators talk in those terms when it comes to a variety of other subjects in Washington, DC. I suggest that this attempt to take power away and freedom away from people and centralize it in Washington is consistent with what the other side of the aisle generally wants to do when it comes to every decision in your life. As a result, we have the huge Government that we have in Washington, DC. We have grown and grown and grown because we have taken more and more freedom away from people, whether it is in the form of freedom to use the money that you have earned by higher and higher taxes, or whether it is freedom in the form of regulation on regulation on every aspect of business and your life.

We have taken that responsibility, we have taken your freedom and have centralized that decisionmaking in Washington, DC. This is another attempt to do that. This has the salutary effect, from those who believe in big government, of stifling your criticism of big government. This is a win-win. This allows them to continue to grow government without you being able to speak out against it. So they can stifle you at the same time they continue what they want to do in the first place. I think that is very, very, very dangerous to the future of this country.

Columnist George Will called the filibuster—I don't know whether that is what it is or not, but let's use that