

which we now know as "soft money." This allowed previously prohibited corporate and union treasury contributions, and also unlimited contributions from individuals, to the national political parties. The theory has been that if contributions are not used directly in a federal election, federal campaign finance laws do not limit them. At first, the amounts of soft money involved were relatively small. But as happens with cracks in dikes, the power behind the breach has overwhelmed all defenses. The resulting flood of money to the national parties and their campaign organizations now threatens the credibility of our entire electoral process.

We believe that Congress, as a matter of high priority must stop, unambiguously, all "soft money" contributions to the national parties and their campaign organizations. The Congress should also prohibit the solicitation of soft money by those parties and organizations, any federal office holder, or any candidate for federal office for the seeming benefit of others, but in truth to circumvent the prohibition of soft money to the national parties. These interrelated acts would do much to reinvigorate the basic concept of the Federal Election Campaign Act: that, while we must remain mindful of the political parties' needs for resources to perform their vital role in the political process, it is individuals, subject to contribution limits established by Congress, who are the heart of the system of private contributions for federal elections. The prompt end to soft money solicitations by presidential candidates, among others, would also assure that the public gets full value for its investment in publicly financed presidential elections.

A recurring observation about the 1996 and other recent federal elections is that candidates have lost control of the conduct of their campaigns. Indeed, many candidates are at risk of becoming bystanders to campaigns waged by others in the name of "issue advocacy." As a result, the accountability of the candidates for the conduct of campaigns is seriously compromised. Part of the problem is the need to sharpen definitions, that may have worked twenty years ago, to distinguish campaigning for candidates from a more general public debate of issues. Another part is the need to update the disclosure requirements of the Federal Election Campaign Act. Progress on both counts is necessary to assure that our political process achieves the substantial benefits that should result from an end to the "soft money" system.

First, it is essential that Congress establish, on the basis of the experience of recent elections, an appropriate test consistent with the First Amendment for distinguishing advocacy about candidates from the general advocacy of issues. The purpose of this test should be to identify for consistent treatment under the Federal Election Campaign Act significant expenditures for general communications to the public, at times close to elections, that are designed to achieve specific electoral results. The Supreme Court has said that Congress may regulate federal campaign activity to avoid corrupting influences or appearances. In doing so, the Congress should look at reality, not the self-applied labels of partisans. Our objective should be to assure that comparable expenditures are treated comparably.

The gains from ending "soft money" will be incomplete if money currently spent by parties is only redirected into so-called issue advertisements, including those by surrogate organizations established to circumvent campaign finance laws. A tightened, realistic definition of statutory terms will not foreclose communications to the public on behalf of the interests of business enterprises and unions even up to Election Day, under

regulations evenly applied to their political action committees. It will mean that communications to the general public in periods close to elections that are designed to achieve electoral wins or losses are financed through the voluntary contributions of individuals, such as to their parties, political action committees, or candidates.

Second, disclosure is an essential tool because it allows citizens to hold candidates accountable for the means by which campaigns are financed. On election day voters can only express themselves about candidates on the ballot. Even candidates, however, may not know the true identity of entities that dominate the airwaves during the closing weeks of a campaign with electoral messages patently targeted to favor or disfavor them or their opponents. Broader disclosure of the sources of financing of campaign advertisements would contribute to the robustness of political debate. It would ensure that candidates know to whom they might respond, and that the electorate knows who can be held accountable for the accuracy or demeanor of advertisements.

Additionally, we should take advantage of an electronic age in which information can be transmitted rapidly from, and updated frequently by, party and campaign officials, and made readily available to the public with equal rapidity.

No limitations and no disclosure requirements are worth much in the absence of timely and effective enforcement. Indeed, the absence of credible enforcement causes damage beyond the campaign finance laws by engendering real doubts about the application of the rule of law to powerful members of our society. The American public believes resolutely that a fundamental premise of our constitutional democracy is that high elected officials, like ordinary citizens, are subject to the rule of law, and to the timely application of it. The Congress and the President need to work together to assure the public that campaign finance laws are not pretenses.

The President and the Senate should take immediate action to assure that vacancies on the Federal Election Commission are filled by knowledgeable, independent-minded individuals who are not subject to the suggestion that they are appointed to represent political organizations. We say this because we need a clean break from the past, not to be critical of any former, present, or potential member of the Commission. It is within the President's power to accomplish this new start for the Commission, beginning today. We urge the President, in consultation with the leadership of the Congress, to name an advisory panel of citizens whose task would be to recommend highly qualified candidates for the President's consideration for appointment to the Commission, subject of course to the Senate's advice and consent.

Congress can take further steps to protect the independence of the Commission. If commissioners were limited to one term, they would have no occasion to measure the impact of their decisions on the possibility of reappointment. The independence of the Commission can also be furthered by placing its funding on a more secure, longer term basis.

The potential for deadlock inheres in the requirement that the Commission have an even number of commissioners. Because the Congress also has made the Commission the official gatekeeper to the United States courts, judicial action to resolve complaints under the Federal Election Campaign Act is impeded unless permitted by a majority of commissioners. Thus, a deadlocked Commission is an obstacle to the adjudication of meritorious claims. It is important to rely on the expertise of the Commission, but

when the Commission is unable to resolve complaints, our respect for the rule of law requires that complainants have the right to a fresh start through a direct action in the United States courts against alleged violators. The law should be amended to provide for this in the event that the Commission is unable to act because of deadlock or a lack of resources.

We have not attempted to set out an exhaustive list of reforms which may be attainable and would make a significant contribution. Other important proposals by members of Congress or students of campaign finance reform merit consideration, such as encouraging small contributions through tax credits, or providing greater resources to candidates through enhanced access to communications media or through flexibility by the parties in supporting candidates with expenditure of hard money contributions. Rather, our purpose is to illustrate that it is possible to identify and act on particular, achievable improvements, which should not be postponed or neglected. We very much encourage and support a larger debate about other changes at the federal and state levels in the manner in which political campaigns are financed. Additional changes will be essential to renewing American democracy. The enactment of immediate reforms may give us a measure of time to address other reforms, but should never become an excuse for avoiding them.

We urge that the work of the Congress over the next few months be spurred by one overriding thought: no one would create, or should feel comfortable in defending, the campaign finance system that now exists. Public cynicism about our great national political institutions is the inevitable product of the gaps that exist between our principles and the law, and between the law and compliance with it. The trend lines, also, are all wrong. If we were unhappy about campaign financing in the election of 1996, as the public is and as members of both parties ought to be, then we should anticipate with great trepidation the election of 2000, absent prompt reforms.

The challenge for this Congress is to put in place changes for the presidential and congressional election cycle that will start the day after next year's elections, a little more than sixteen months from now, to enable an election in the year 2000 in which we will have pride and the public will have confidence. Your leadership in that endeavor will serve the interests of American democracy, and command the enduring appreciation of all of us who know how needed that leadership is.

Sincerely,

NANCY KASSEBAUM BAKER.
WALTER F. MONDALE.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, June 23, 1997, the federal debt stood at \$5,332,782,057,516.70. (Five trillion, three hundred thirty-two billion, seven hundred eighty-two million, fifty-seven thousand, five hundred sixteen dollars and seventy cents)

Five years ago, June 23, 1992, the federal debt stood at \$3,937,817,000,000. (Three trillion, nine hundred thirty-seven billion, eight hundred seventeen million)

Ten years ago, June 23, 1987, the federal debt stood at \$2,292,959,000,000. (Two trillion, two hundred ninety-two billion, nine hundred fifty-nine million)

Fifteen years ago, June 23, 1982, the federal debt stood at \$1,070,166,000,000. (One trillion, seventy billion, one hundred sixty-six million)

Twenty-five years ago, June 23, 1972, the federal debt stood at \$425,755,000,000 (Four hundred twenty-five billion, seven hundred fifty-five million) which reflects a debt increase of nearly \$5 trillion—\$4,907,027,057,516.70 (Four trillion, nine hundred seven billion, twenty-seven million, fifty-seven thousand, five hundred sixteen dollars and seventy cents) during the past 25 years.

REACTION TO HOUSE MFN VOTE

Mr. HELMS. Mr. President, today the House in effect approved President Clinton's renewal of most-favored-nation status for the People's Republic of China. The House failed to adopt a resolution disapproving of Mr. Clinton's renewal of MFN for China.

The House thus squandered its opportunity to send a strong signal to the Clinton administration that its policy of engagement with China has not worked.

The administration, and others supporting MFN, insisted that they were willing to pressure China on human rights, on trade, on proliferation, and on Hong Kong. They just didn't believe, they insisted repeatedly, that MFN is the way to do it.

Fair enough, Mr. President. Taking supporters of MFN at their word, I hope Senators will make clear that if MFN isn't the proper tool to use in trying to influence China on such matters, what is the proper tool? By renewing MFN, President Clinton and supporters of MFN for China, have taken on a new burden—to show they are serious about finding a way to persuade China to stop abusing its citizens rights, stop unfair trade practices, stop sending weapons of mass destruction to rogue regimes, and live up to its commitments on Hong Kong.

The debate over China policy is far from over. During the coming weeks and months, I will be considering new measures on China.

For example, Mr. President, the Senate Foreign Relations Committee will hold hearings on legislation to deal with serious problems in the United States-China relationship, and on the commercial activities of the People's Liberation Army in the United States.

I do hope that Senators who have asserted that there is a better way to influence China than revoking MFN will work with the Foreign Relations Committee in finding that better way.

HONORING THE ZINZERS ON THEIR 60TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it

is both instructive and important to honor those who have taken the commitment of "till death us do part" seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Dorothy and Roy Zinzer of Affton, Missouri, who on June 19, 1997, celebrated their 60th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Zinzers' commitment to the principles and values of their marriage deserves to be saluted and recognized.

MESSAGES FROM THE HOUSE

At 11:58 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1532. An act to amend title 18, United States Code, to create criminal penalties for theft and willful vandalism at national cemeteries.

H.R. 1553. An act to amend the President John F. Kennedy Assassination Records Collection Act of 1992 to extend the authorization of the Assassination Records Review Board until September 30, 1998.

H.R. 1581. An act to reauthorize the program established under chapter 44 of title 28, United States Code, relating to arbitration.

H.R. 1866. An act to continue favorable treatment for need-based educational aid under the antitrust laws.

H.R. 1901. An act to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 363. An act to amend section 2118 of the Energy Policy Act of 1992 to extend the Electric and Magnetic Fields Research and Public Information Dissemination program.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 1532. An act to direct the United States Sentencing Commission to provide sentencing enhancement for offenses against property at national cemeteries; to the Committee on the Judiciary.

H.R. 1581. An act to reauthorize the program established under chapter 44 of title 28, United States Code, relating to arbitration; to the Committee on the Judiciary.

MEASURE PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

S. 950. A bill to provide for equal protection of the law and to prohibit discrimina-

tion and preferential treatment on the basis of race, color, national origin, or sex in Federal actions, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2314. A communication from the Secretary of Housing and Urban Development, transmitting, a draft of proposed legislation entitled "Homelessness Assistance and Management Reform Act of 1997"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2315. A communication from the Acting General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, five rules entitled "HOME Investment Partnership Program" (FR-3962), received on June 23, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-2316. A communication from the Director, U.S. Office of Personnel Management, transmitting, a draft of proposed legislation relative to judicial review to protect the merit system; to the Committee on Governmental Affairs.

EC-2317. A communication from the CFO and Plan Administrator, PCA Retirement Committee, First South Production Credit Association, transmitting, pursuant to law, a report of the annual pension plan ending December 31, 1996; to the Committee on Governmental Affairs.

EC-2318. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the annual report on the system of internal accounting and financial controls in effect during fiscal year 1996; to the Committee on Governmental Affairs.

EC-2319. A communication from the Executive Director, Committee for Purchase from People Who are Blind or Severely Disabled, transmitting, pursuant to law, a rule relative to employment of the blind and disabled, received on June 17, 1997; to the Committee on Governmental Affairs.

EC-2320. A communication from the Inspector General, U.S. Railroad Retirement Board, transmitting, pursuant to law, a report for the period October 1, 1996 through March 31, 1997; to the Committee on Governmental Affairs.

EC-2321. A communication from the Executive Director of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, a report relative to the Strategic Plan; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEE

The following reports of committee were submitted:

By Mr. WARNER, from the Committee on Rules and Administration:

Special Report entitled "Printing Pictures of Missing Children on Senate Mail" (Rept. No. 105-34).

By Mr. McCONNELL, from the Committee on Appropriations, without amendment:

S. 955. An original bill making appropriations for foreign operations, export financing, related programs for the fiscal year ending September 30, 1998, and for other purposes (Rept. No. 105-35).