

NOT VOTING—6

Hastings (FL) Porter Ros-Lehtinen
Kingston Pryce (OH) Shaw

□ 1756

Mr. TALENT changed his vote from "no" to "aye".
So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4, AS MODIFIED, OFFERED BY MR. BEREUTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 4, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 181, not voting 10, as follows:

[Roll No. 414]

AYES—242

Aderholt Cubin Isakson
Archer Cunningham Istook
Armey Danner Jenkins
Bachus DeLay John
Baker DeMint Johnson, Sam
Baldacci Dickey Jones (NC)
Ballenger Duncan Kaptur
Barcia Dunn Kasich
Barr Edwards Kelly
Barrett (NE) Emerson Kildee
Bartlett English Knollenberg
Barton Evans Kolbe
Bass Everett Kucinich
Bateman Ewing Kuykendall
Bentsen Fletcher LaFalce
Bereuter Fossella LaHood
Berkley Fowler Largent
Biggert Franks (NJ) Latham
Bilbray Gallegly LaTourette
Bilirakis Ganske Leach
Bliley Gekas Lewis (CA)
Blunt Gibbons Lewis (KY)
Boehner Gillmor Linder
Bonilla Gilman Lipinski
Bono Goode LoBiondo
Boswell Goodlatte Lucas (KY)
Boucher Goodling Lucas (OK)
Brady (TX) Gordon Luther
Bryant Goss Maloney (CT)
Burr Graham Manzullo
Buyer Granger Markey
Callahan Green (TX) Mascara
Calvert Green (WI) McCarthy (MO)
Camp Greenwood McCollum
Campbell Gutknecht McCreery
Canady Hall (TX) McHugh
Cannon Hansen McInnis
Chabot Hastings (WA) McIntosh
Chambliss Hayes McIntyre
Chenoweth Hayworth McKeon
Clement Hefley Metcalf
Coble Herger Mica
Coburn Hill (MT) Miller (FL)
Collins Hilleary Miller, Gary
Combest Hobson Moran (KS)
Condit Hoekstra Myrick
Cook Holden Nethercutt
Cooksey Hostettler Ney
Costello Hulshof Northup
Cox Hunter Norwood
Cramer Hyde Nussle
Crane Inslee Obey

Oxley Sanford
Packard Saxton
Paul Scarborough
Pease Schaffer
Peterson (MN) Sensenbrenner
Peterson (PA) Sessions
Petri Shadegg
Phelps Sherman
Pickering Sherwood
Pickett Shimkus
Pitts Shows
Pomeroy Shuster
Portman Simpson
Radanovich Sisisky
Ramstad Skeen
Regula Smith (MI)
Reynolds Smith (NJ)
Riley Smith (TX)
Roemer Smith (WA)
Rogan Souder
Rogers Spence
Rohrabacher Stabenow
Rothman Stearns
Roukema Stenholm
Royce Strickland
Ryan (WI) Stump
Ryun (KS) Stupak
Salmon Sununu
Sandlin Sweeney

NOES—181

Abercrombie Frelinghuysen Moran (VA)
Ackerman Frost Morella
Allen Gejdenson Murtha
Andrews Gephardt Nadler
Baird Gilchrest Napolitano
Baldwin Gonzalez Neal
Barrett (WI) Gutierrez Oberstar
Becerra Hall (OH) Olver
Berman Hill (IN) Ortiz
Berry Hilliard Ose
Bishop Hinchey Owens
Blagojevich Hinojosa Pallone
Blumenauer Hoeffel Pascrell
Boehlert Holt Pastor
Bonior Hooley Payne
Borski Horn Pelosi
Boyd Houghton Pombo
Brady (PA) Hoyer Price (NC)
Brown (FL) Hutchinson Quinn
Brown (OH) Jackson (IL) Rahall
Burton Jackson-Lee Rangel
Capps (TX) Jefferson Reyes
Cardin Johnson (CT) Rivers
Carson Johnson, E. B. Rodriguez
Castle Jones (OH) Roybal-Allard
Clay Kanjorski Rush
Clayton Kennedy Sabo
Clyburn Kilpatrick Sanchez
Conyers Kind (WI) Sanders
Coyne King (NY) Sawyer
Crowley Kleczka Schakowsky
Cummings Klink Scott
Davis (FL) Lampson Serrano
Davis (IL) Lantos Shays
Davis (VA) Larson Skelton
Deal Lee Slaughter
DeFazio Levin Snyder
DeGette Lewis (GA) Spratt
Delahunt Lofgren Stark
DeLauro Lowey Talent
Deutsch Maloney (NY) Tanner
Diaz-Balart Martinez Tauscher
Dicks Matsui Thompson (CA)
Dingell McCarthy (NY) Tierney
Dixon McDermott Thompson (MS)
Doggett McGovern Udall (CO)
Dooley McKinney Udall (NM)
Doolittle McNulty Velazquez
Doyle Meehan Vento
Dreier Meek (FL) Walsh
Ehlers Meeks (NY) Waters
Ehrlich Menendez Watt (NC)
Engel Millender Waxman
Eshoo McDonald Weiner
Etheridge Miller, George Wexler
Farr Minge Weygand
Fattah Mink Wilson
Filner Moakley Woolsey
Foley Mollohan Wu
Frank (MA) Moore Wynn

NOT VOTING—10

Forbes Lazio Shaw
Ford Porter Young (FL)
Hastings (FL) Pryce (OH)
Kingston Ros-Lehtinen

□ 1805

Mr. MASCARA changed his vote from "no" to "aye."

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Chairman, I regret that I was unavoidably detained in Chicago today on a family emergency.

Had I been present, I would have voted yes on rollcall Nos. 408, 409 and 410. I would have voted no on rollcall Nos. 411, 412, and 413. I would have voted yes on rollcall No. 414.

The CHAIRMAN. It is now in order to consider Amendment No. 7 printed in House Report 106-311.

AMENDMENT NO. 7 OFFERED BY MR. CALVERT

Mr. CALVERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 Offered by Mr. CALVERT: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 517. REQUIRING MAJORITY OF AMOUNT OF CONTRIBUTIONS ACCEPTED BY CONGRESSIONAL CANDIDATES TO COME FROM IN-STATE RESIDENTS.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i)(1) The total amount of contributions accepted with respect to an election by a candidate for the office of Senator or the office of Representative in, or Delegate or Resident Commissioner to, the Congress from in-State individual residents shall be at least 50 percent of the total amount of contributions accepted from all sources.

"(2) If a candidate in an election makes expenditures of personal funds (including contributions by the candidate or the candidate's spouse to the candidate's authorized campaign committee) in an amount in excess of \$250,000, paragraph (1) shall not apply with respect to any opponent of the candidate in the election.

"(3) In determining the amount of contributions accepted by a candidate for purposes of paragraph (1), the amounts of any contributions made by a political committee of a political party shall be allocated as follows:

"(A) 50 percent of such amounts shall be deemed to be contributions from in-State individual residents.

"(B) 50 percent of such amounts shall be deemed to be contributions from persons other than in-State individual residents.

"(4) As used in this subsection, the term 'in-State individual resident' means an individual who resides in the State in which the election involved is held."

(b) REPORTING REQUIREMENTS.—Section 304 of such Act (2 U.S.C. 434), as amended by sections 103(c), 204, and 307, is further amended by adding at the end the following new subsection:

"(h)(1) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall include the following information in the first report filed under subsection (a)(2) which covers the period which begins 19 days before an election and ends 20 days after the election:

“(A) The total contributions received by the committee with respect to the election involved from in-State individual residents (as defined in section 315(i)(4)), as of the last day of the period covered by the report.

“(B) The total contributions received by the committee with respect to the election involved from all persons, as of the last day of the period covered by the report.

“(2)(A) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall submit a notification to the Commission of the first expenditure of personal funds (including contributions by the candidate or the candidate's spouse to the committee) by which the aggregate amount of personal funds expended (or contributed) with respect to the election exceeds \$250,000.

“(B) Each notification under subparagraph (A)—

“(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made; and

“(II) shall include the name of the candidate, the office sought by the candidate, and the date of the expenditure or contribution and amount of the expenditure or contribution involved.”

(C) PENALTY FOR VIOLATION OF LIMITS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

“(4)(A) Any candidate who knowingly and willfully accepts contributions in excess of any limitation provided under section 315(i) shall be fined an amount equal to the greater of 200 percent of the amount accepted in excess of the applicable limitation or (if applicable) the amount provided in paragraph (1)(A).

“(B) Interest shall be assessed against any portion of a fine imposed under subparagraph (A) which remains unpaid after the expiration of the 30-day period which begins on the date the fine is imposed.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after January 2001.

Page 86, line 10, strike “(2 U.S.C. 437g(d)) is amended” and insert the following: “(2 U.S.C. 437g(d)), as amended by section 517(c), is further amended”.

Page 86, line 12, strike “(4)” and insert “(5)”.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. CALVERT) and the gentleman from Delaware (Mr. CASTLE) each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to introduce the Shaw-Calvert-Gallegly amendment. It is a simple reform that would make candidates 100 percent accountable to the people they represent by controlling the source of campaign funds.

Unfortunately, some of our colleagues from Florida, including the gentleman from Florida (Mr. SHAW), have hurricane-force winds bearing down on their homes. Our prayers are with them and their constituents as they brace for Hurricane Floyd's impact. The gentleman from Florida (Mr. SHAW) requested that I offer this amendment in his absence.

Too many candidates take their show on the road and sell themselves to the

Americans all across this country. This practice comes at the expense of the people the candidate is supposed to represent. When a candidate has to primarily rely on money from people outside their home State, they no longer need to listen to the needs and concerns of their own constituents.

This amendment requires candidates to raise at least half of the money for their campaigns from their home State. Through this simple requirement, we give all Americans a greater voice in the political process.

I introduced a similar amendment last year that received 147 votes. My colleague, the gentleman from Florida (Mr. SHAW), also submitted a similar amendment last year that garnered 160 votes.

We brought the best of both bills together today, working with the gentleman from Florida (Mr. SHAW) and our colleague from California (Mr. GALLEGLY). We combined my language with the amendment of the gentleman from Florida (Mr. SHAW) to address the concerns of Members about the constitutionality of its provisions.

I also heard from a number of Members who are concerned about the wealthy candidates abusing these provisions for their own advantages. These are valid concerns, and we have amended the language accordingly.

Should a candidate face an opponent that uses more than \$250,000 of their own funds in a campaign, all candidates would be exempt from this amendment's provision.

This amendment is common sense electoral reform, and I hope that every Member will support it.

Mr. Chairman, I reserve the balance of my time.

Mr. CASTLE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I do rise in opposition to this legislation. It is not quite as simple as it sounds. And it does sound, I believe, good on its face. But the truth of the matter is there are those of us in small States, and I am one of them, there are those that have border districts, which small States automatically have, so I am one of them, as well. And there are those who are from very poor districts throughout this country who have problems raising campaign funds. I am not in that category, as Delaware is a relatively wealthy State.

When I first ran four terms ago for the Congress of the United States, I was out-spent by my opponent, not significantly, but I was out-spent. He raised at least 90 percent, probably a lot greater percentage, of his money from outside Delaware. We made a campaign issue out of it. It worked out just fine. And I understood what the process was. He was allowed to raise that money and he could.

If we are going to carry this to the nth degree, we really should say that no money should come from outside a particular State.

Delaware has 800,000 people. Many of my constituents cross over into Penn-

sylvania and Delaware on a regular basis and back over. It is almost impossible to distinguish exactly where they are from, and it makes I believe a matter like this very complicated.

The Shays bill calls for a study of this, and I believe that we should go with that.

Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Shaw-Calvert amendment.

This key amendment requires candidates to raise their money locally thereby aligning constituent and donor interest. By requiring candidates to raise 50 percent of their contributions within their home State, we not only give the public a greater voice in elections but also limit the power of Washington special interests.

This is a seminal change that should be coupled with anti-bundling reforms to restrict gaming of PAC donor limits and a requirement that half of a candidate's contributions come from an individual rather than PACs to achieve truly viable reform.

In considering campaign finance legislation, we should consider the practical effects of the bill, not the stated intentions of its proponents. By limiting the ability of all candidates to raise money, Shays-Meehan rewards candidate committees with a broad, already-established donor base.

Specifically, incumbents, Shays-Meehan is clearly the incumbent protection bill in this debate. Because Shays-Meehan tilts the field to incumbents, this amendment is necessary to help correct this fatal flaw by forcing incumbents and challengers to raise half their money at home and compete on a level playing field.

I urge all my colleagues and all true friends of campaign finance reform to vote in favor of this amendment. However, without additional perfecting amendments, I, for one, cannot support Shays-Meehan this evening. And I feel bad about that.

I hope this amendment is successful.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I appreciate the honesty of the gentleman from Pennsylvania. He makes it clear he is against Shays-Meehan, so he is for an amendment which would kill it.

Here is one of the problems. We have, in the first place, some very large States, California. When the gentleman from California, and two of the three sponsors are from California, talk about how self-sacrificing they are going to be because they can only go from San Diego to north of San Francisco, that is not very self-sacrificing compared to people from much smaller States.

We have small States in this country with ethnic diversity. Let us be very

clear. Money and ethnicity are sometimes correlated. And if we now tell African-American candidates in the South, now that we have redistricting rules from the Supreme Court that say that the districts have to be fairly evenly balanced ethnically, if we tell candidates in Mississippi and South Carolina and Alabama, these smaller States, that the money has to be raised in State, we are putting minority candidates at a significant disadvantage. Because we know as a fact that wealth is not equally distributed, and we put ethnic minority candidates at a disadvantage.

Finally, as to incumbent protection, when we limit money to that State, we are increasing incumbent protection because the incumbent in a small State is far more likely to be able to raise the money.

Mr. CALVERT. Mr. Chairman, I yield myself 15 seconds to answer the concern of the gentleman.

My amendment probably will not even impact most candidates. According to the Congressional Research Service, in 1996 only 8 percent of total known receipts raised by Democratic candidates for the House came from outside their State. A similar figure for House Republican candidates was 7 percent.

Mr. Chairman, I yield 30 seconds to my good friend, the gentleman from the State of Michigan (Mr. SMITH).

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

□ 1815

Mr. SMITH of Michigan. Mr. Chairman, I have introduced legislation that actually bans PAC money from donating to individual congressional campaigns and requires that congressional candidates raise 50 percent of the money from within their own legislative district. Having a requirement that 50% of contributions for a Member of Congress come from the State is reasonable. It moves us in the right direction, and it helps make sure that constituents are going to be represented, not special interests.

Mr. Chairman, let's concentrate on constituent interests, not special interests. As the great political reporter Theodore White wrote, "The flood of money that gushes into politics today is a pollution of democracy." I haven't accepted PAC contributions since I first ran for the Michigan state senate in 1982. Although I knew I would always vote the way I felt was right regardless of who donated to my campaign, I also knew that it was equally important that my constituents had no doubts about how much PAC lobbyists might be influencing my decisions.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I rise in strong opposition to the Shaw-Calvert amendment. This bill requires candidates to raise 50 percent of their contributions from their own State. This bill makes it difficult, if not im-

possible, for candidates to remain competitive if they represent low-income districts, border or small geographic districts.

When I rise to speak in Congress, I represent more than the 11th Congressional District of Ohio. I represent the hopes and dreams of the descendants of a host of African Americans who were enslaved, beaten, hung, brutalized and died, and are still underrepresented in the United States Congress.

Their descendants, wherever they reside, should be able to contribute to my campaign. When I rise to speak in this House, I represent the United States as a whole. I recommend that a commission be appointed to study the impact this provision would have on the ability of Members to raise sufficient funds when they represent low-income, border and minority districts. Until such a commission is appointed, I urge my colleagues in this House to vote "no."

Mr. CALVERT. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. BILBRAY.)

Mr. BILBRAY. Mr. Chairman, I rise as a strong supporter of Shays-Meehan. I was one of the original cosponsors. I rise as a representative of all the people in the 49th District of California.

The supporters of true campaign finance reform in my district have come to me and said they want Shays-Meehan passed, but they want a condition that says at least half of your money should come from your State. The fact is, these rules will apply to everyone equally in the district that is being run for.

Now, there was a gentleman from Massachusetts who said, "Why not make it district?" My constituents would like to have it district, but this is a compromise. It is the minimum we can do. Let us do true campaign finance reform, pass Shays-Meehan, and require half the money to come from your State.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I rise in opposition to this amendment because I think it is an attempt to undermine the Shays-Meehan campaign finance reform bill. That bill is the best opportunity America has to end the corrupting influence of big money and to ensure that all Americans can participate and be heard by their elected officials without money as the motivator. Real campaign finance reform is needed to accomplish this goal. Every single one of us who comes to this body takes an oath of office to support and defend the Constitution against all enemies, foreign and domestic. The biggest enemy to our constitutional democracy is campaign money.

This city was built on a swamp over 200 years ago. It has returned to being a swamp, a swamp that is dirtied by the huge amount of special interest money that pours in here and stacks the deck against the typical American

seeking a legitimate role in the political process.

As far as this amendment is concerned, as a Californian, a State that is wealthy and supports its candidates, I urge my colleagues to vote against it. There will be no way we will have more women and more minorities in this Congress if we pass this legislation. This Congress will never look like America. I urge a "no" vote.

Mr. Chairman, I rise in strong support of the Shays-Meehan campaign finance reform bill. The gentlemen are to be commended for their leadership in bringing hope to the House that we will finally break the bonds between the political process and big money special interests.

The Shays-Meehan campaign finance reform bill is the best opportunity America has to end the corrupting influence of big money and to ensure that all Americans can participate and be heard by their elected officials without money as the motivator. Real campaign finance reform is needed to accomplish this goal.

Unfortunately, an election system based on wealth and money distorts the political process and adversely affects the civil rights of low-income Americans by allowing politicians and fundraisers to dismiss or ignore their voices and infringe on their voting rights. While first amendment concerns have been raised, civil rights concerns must be addressed first.

The Shays-Meehan bill includes a ban on soft money at the Federal and State level; a ban on foreign money entering the system; tougher political advertising disclosure requirements; mandatory electronic filing and internet posting of a candidate's Federal Election Commission reports; and establishment of a Commission to study further reforms to improve our campaign finance system.

When Washington, D.C. first was established as America's capital, it was built on a swamp. It is still a swamp, a swamp dirtied by the huge amounts of special interest money that pours in here and stacks the deck against the typical American seeking a legitimate role in the political process.

I urge my colleagues to oppose all the poison pill amendments and substitutes designed to derail this measure. America needs real campaign reform in the political process. Let's support today's bipartisan campaign finance measure.

Mr. CASTLE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard the arguments here. We do not have a very long time to discuss this tonight. We only have 10 minutes. The bottom line is, I think there are some serious questions about this. I have raised some about the small State problem that I have, the border districts where the people you really know, such as in a Kansas City situation, for example, right up in the border between two different States, those districts which are extraordinarily poor, represented often by minorities which need some help with respect to these circumstances.

Let me just point out what is in the Shays-Meehan bill, because I think before everybody votes, they should understand this, and that is simply this. It establishes a bipartisan commission

to study the impact of such concerns, and I think it goes a long way toward addressing the problem of campaign finance reform. This is what we need to do.

I think that the gentleman from California's amendment raises a serious question, something perhaps we should consider, but I do not think we are ready to vote on it at this particular time and make it part of the law of the United States of America. I think, indeed, it is something that we should continue to look at and should continue to discuss, make some sort of professional determination if it is possible; if so, what it should be. For now, this amendment should be defeated and the Shays-Meehan bill should be passed.

Mr. CALVERT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in closing, it is constitutional, it is common sense, it is constructive. I have been for this since I have been in Congress. I am in my fourth term. I was for this in my first term, and I am still for this. It is a good idea. Give your citizens a greater voice and vote for this amendment.

Mr. SHAW. Mr. Chairman, I rise today in support of the Shaw-Calvert-Gallegly amendment to H.R. 417, the Bipartisan Campaign Finance Reform Act of 1999.

The Shaw-Calvert-Gallegly amendment is a common sense solution to reforming our current campaign finance laws. Our amendment would simply require candidates running for Congress to raise and accept no less than 50 percent of the total contributions from within the State they represent.

Our amendment is simple and fair. It does not tilt the playing field in favor of Republicans or Democrats. If affects rich and poor districts equally. Our amendment does, however, lessen the huge advantage Washington insiders have over challengers who do not have access to the out-of-state fundraising circuit.

In the past, some congressional candidates have raised as much as 95 percent of their campaign funds from out-of-State donors. This amendment would require that candidates should be financially supported at least in part by the citizens they wish to represent.

Mr. Chairman, Members should spend more time with the people that really count, namely the voters in our districts. We should show our constituents that we represent Main Street, not K Street. If you believe we should bring the focus of fundraising back to the people we represent, then I urge you vote in favor of the Shaw-Calvert-Gallegly amendment.

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Shaw-Calvert-Gallegly amendment to H.R. 417. This key amendment requires candidates to raise their money locally, thereby aligning constituent and donor interests. I have supported similar legislation in previous sessions of Congress. In fact, during the 105th Congress, I drafted a similar amendment to this one.

By requiring candidates to raise 50 percent of their contributions within their home State, we not only give the public a greater voice in elections, but also limit the power of Washington special interests. This change should be coupled with antibundling reforms to restrict gaming of PAC donor limits and a requirement

that half of a candidate's contributions come from individuals rather than PAC's to achieve more meaningful reform.

In considering campaign finance legislation, we should consider the practical effects of the bill, not simply the promises of its proponents. By limiting the ability of all candidates to raise money, the Shays-Meehan proposal rewards candidate committees with broad, already established donor files. The only committees with that type of donor file are incumbents.

Because the Shays-Meehan proposal tilts the field to incumbents, this amendment is necessary to help correct this potentially fatal flaw by forcing incumbents and challengers to compete on a level playing field.

I urge my colleagues to vote in favor of this amendment. However, without these additional amendments, I cannot support the passage of Shays-Meehan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CALVERT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CALVERT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from California (Mr. CALVERT) will be postponed.

It is now in order to consider amendment No. 8 printed in House Report 106-311.

AMENDMENT NO. 8 OFFERED BY MR. SWEENEY

Mr. SWEENEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. SWEENEY: Amend the heading for title X to read as follows (and conform the table of contents accordingly):

TITLE X—REIMBURSEMENT FOR USE OF GOVERNMENT PROPERTY FOR CAMPAIGN ACTIVITY

Add at the end of title X the following new section (and conform the table of contents accordingly):

SEC. 1002. REIMBURSEMENT FOR USE OF GOVERNMENT EQUIPMENT FOR CAMPAIGN-RELATED TRAVEL.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, and 1001, is further amended by adding at the end the following new section:

“REIMBURSEMENT FOR USE OF GOVERNMENT EQUIPMENT FOR CAMPAIGN-RELATED TRAVEL.

“SEC. 329. If a candidate for election for Federal office (other than a candidate who holds Federal office) uses Federal government property as a means of transportation for purposes related (in whole or in part) to the campaign for election for such office, the principal campaign committee of the candidate shall reimburse the Federal government for the costs associated with providing the transportation.”.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from New York (Mr. SWEENEY) and the gentleman from New York (Mrs. MALONEY) each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume. I offer this amendment today to strengthen the Nation's election law and bring a higher level of accountability into the campaign process.

I believe there are, among other things, two important goals of Federal election law. First, election laws level the playing field for candidates running for office, offering access to the process to all Americans. The amendment I am offering today attempts to open up the process so that all candidates have a chance to get the job despite disadvantages in campaign resources. We want the best, the brightest, the most qualified, to have a shot at winning a seat, not only those with access to either money or resources. Second, the reforms we are discussing today attempt to further distinguish the political campaign activities from official duties.

One of the issues we are addressing today is the perception among many Americans that the line between official duties and campaigning has been blurred. Americans deserve not to have policy decisions so colored by political motives, especially when their tax dollars are involved.

Mr. Chairman, my amendment addresses both of these objectives by leveling the playing field and separating political campaign activities from official duties. The proposal is simple and reasonable. If you are seeking elected office and you use government-owned property for campaign travel purposes, you must fully reimburse the American taxpayer. This will ensure that no candidate is given an unfair advantage over another.

Few people have access to government-owned vehicles, particularly military aircraft. Those that do should be responsible for paying the full and actual cost of travel when campaign activities are involved. This amendment will not only make the candidate more accountable to the taxpayer, but it also removes the unfair advantage that any individual may hold over candidates without access to government transportation.

This amendment also strengthens the separation between campaign activities and official duties. Candidates who use government-financed transportation, while defending the practice, often split hairs over what constitutes campaigning versus official business. We have an obligation to make these activities separate and distinct.

The American public deserves to know that every candidate using any government vehicle will not violate the public trust by traveling at taxpayer expense. We are free to run for office, but as we all know here today, running for office is not free. Neither are we free to spend the taxpayers' hard-earned dollars unless, of course, your campaign headquarters is some military jet. Freedom has its cost, running for office has its cost, but let us not confuse the two. One we gain at birth, the other we must earn.

Mr. Chairman, I reserve the balance of my time.

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to the Sweeney amendment. We have an opportunity today to pass real campaign finance reform, but instead we are wasting our time on a mean-spirited, petty, politically partisan charged amendment that has nothing to do with real campaign finance reform.

The goal of this amendment is to target the First Lady by forcing her to pay for the full costs of her travel when she flies on government planes. Mrs. Clinton is already following the same FEC rules as all other candidates, rules that require her to reimburse the government for the fair value of the travel. If this amendment were to pass, the First Lady may be forced to abandon the security the Secret Service says she needs or face tremendous costs that no candidate could afford. We should not compromise her security for political, partisan purposes.

The gentleman from New York's amendment would apply to all candidates, and I quote, other than a candidate who currently holds Federal office. So the gentleman from New York would exempt himself. He says that it is okay to have two sets of rules, one for the current officeholders, himself, and another one for everyone else. It is a double standard. It is a glaring loophole.

I have a letter here from the chair of the Federal Election Commission which I would like to place in the RECORD at the appropriate time which states clearly that no provision of current law covers incumbent travel, that only FEC regulations apply.

The gentleman from New York would like to undermine these regulations by passing a law that specifically exempts himself, other incumbents and creates an enormous loophole. If the gentleman from New York's amendment is such a good idea for Mrs. Clinton, then why do we not apply it to candidates who rely on State and city transportation and State and city security when they run for Federal office? Or better yet, why do we not apply it to the gentleman from New York and Members of this body who may fly on corporate or commercial planes but are not required to reimburse the company or the government for the full cost of the plane?

We should not open up a huge loophole in election law by punishing challengers and giving the gentleman from New York and incumbents a free ride. Campaign finance reform is supposed to be about leveling the playing field, but here he is creating one standard for everyone else and Mrs. Clinton and a very different standard for incumbents. It is petty, it is partisan, it is just plain mean.

I urge my colleagues to reject the Sweeney amendment.

FEDERAL ELECTION COMMISSION,
OFFICE OF THE CHAIRMAN,
Washington, DC, May 14, 1991.

Hon. ROBERT E. WISE, JR.,
Chairman, Government Information, Justice and
Agriculture Subcommittee, Committee on
Government Operations, House of Rep-
resentatives, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your April 25, 1991, letter requesting information concerning the application of Federal election law to the use of Government-owned aircraft for political purposes.

Your letter cites 24 flights taken by the White House Chief of Staff on aircraft owned by the Federal government that are listed as "political" in nature. You state that the chief of Staff or a campaign or political organization reimbursed the Department of Defense for these flights in the amount of "coach fare plus one dollar." You request a summary of the law pertaining to political travel on Government aircraft and also ask how the pertinent laws "would apply to the Chief of Staff's travel as listed" in the enclosure submitted with your letter.

In addition, you are "interested in how Federal election law applies to the President's use of military aircraft for political purposes," and whether the law applies differently when the aircraft is used for political purposes "by other personnel." You further ask whether the "rules change" when Government aircraft is used "in support" of a Presidential candidate after he or she qualifies for Federal matching funds.

In view of the requirements of the Federal Election Campaign Act of 1971, as amended ("the Act"), it is not appropriate for me or the Commission to issue a ruling or opinion of an advisory nature in response to your inquiry. The advisory opinion procedure, as set forth in the Act, authorizes the Commission to give such an opinion only in response to the written request of any person who describes his or her own prospective or ongoing activity, not that of another person. 2 U.S.C. §437f, 11 CFR 112.1(b). Any person who believes that someone else may have violated the Act may file a sworn complaint with the Commission presenting the alleged facts and related violations. 2 U.S.C. §437g, 11 CFR 111.4.

Notwithstanding the inability to give such official advice, we can respond to your request for general information as to those provisions of the Act and Commission regulations that govern campaign travel on Government-owned aircraft for the purpose of influencing Federal elections, since the Commission has no jurisdiction over State election law.

First, the Act and the presidential public funding provisions of the Internal Revenue Code (26 U.S.C. §§9001-9042) are silent with respect to any use of Government-owned aircraft by any person in connection with any election for Federal office. The 1979 amendments to the Act did make clear that the use of appropriated funds of the Federal government would not result in a "contribution" to influence a Federal election because the Federal government is not a "person"; only persons are deemed to have the capacity to make contributions under the Act. 2 U.S.C. §§431(8)(A), 431(11). The legislative history further indicates that misuse of appropriated funds is a violation of Federal law and subject to enforcement by other agencies, not the Federal Election Commission. (report of Committee on House Administration, Federal Election Campaign Act Amendments of 1979, H. Rep. No. 96-422, 96th Cong., 1st Sess. 6, 7, 11 (1979).)

Several Commission regulations govern expenditures for campaign travel in connection with Federal elections and include provisions pertaining to campaign travel via Gov-

ernment-owned conveyance, which would include Government-owned aircraft. Those cited herein are most pertinent in your inquiry and copies are enclosed for your reference.

11 CFR 106.3 pertains to allocation of campaign travel expenditures with respect to campaigns for Federal office, other than presidential candidates who receive Federal matching funds or grants for their campaign expenses. See, in particular, 11 CFR 106.3(e).

11 CFR 114.9(e) applies to the use of non-commercial corporate (or labor organization) aircraft for campaign travel in connection with a Federal election. It does not apply to the campaign use of aircraft owned by the Federal government.

11 CFR 9004.7 governs the allocation and payment of campaign travel expenditures by presidential and vice presidential candidates who accept Federal funding for their general election campaigns. See, in particular, 11 CFR 9004.7(b)(4) and (b)(5) with respect to use of Government-owned aircraft.

11 CFR 9034.7 governs the allocation and payment of campaign travel expenditures by a presidential candidate seeking nomination by a political party who has accepted Federal matching funds for his or her primary election campaign. See, in particular, 11 CFR 9034.7(b)(4) and (b)(5) regarding use of Government-owned aircraft.

I hope you will find this letter and the enclosed materials helpful for purposes of your inquiry. If you have any other questions, please contact me or John Surina, our Staff Director.

Sincerely yours,

JOHN WARREN MCGARRY,
Chairman for the Fed-
eral Election Com-
mission.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume. I am confused by my colleague and friend from New York and her position. First I am confused because I do not recall at any point in my opening remarks mentioning the First Lady and her bid for the Senate seat in New York State. Although I will say that on recess and throughout all of the travels that I have had in my district, a number of my constituents, in fact many of my constituents, have raised concerns about the inequity that exists with an individual who may or may not be a candidate using the resources of Air Force One or a military jet to conduct what may or may not be a campaign.

But let me address and respond to some of the positions that my good friend has taken. First, let me point out that the loophole that exists in the current proposal, in the underlying bill, would be a loophole that would allow a candidate who is not defined as a public officer, which the First Lady certainly fits under, to use the resources for transporting back and forth to conduct campaign activities. If we pass the underlying legislation, the President, the Vice President, other Federal officials, including myself, would not be able to use those resources, not that I have that available to me at this point in time, anyway, but they would not be able to do that. And the loophole that would exist would be one that would allow for a

continuation of that kind of use by a candidate who does not fall under that public officer definition.

Let me also talk about the issue of security and abandoning security and you talk about red herrings being thrown out there. At no point and no time do any of us advocate that security concerns as it relates to the First Family or any other Federal official who duly needs that kind of security be taken away from them. In fact, we all recall that it was just several years ago that Saddam Hussein and other Middle East terrorists threatened the life of former President Bush. It was because we had strong security around former President Bush that we were able to thwart that attempt.

□ 1830

I in no way intend to hinder the security today or in the future of the First Family, and I suspect and I propose that because we require a full reimbursement for the use of military jets we are not diminishing in any capacity. In fact, we are not diminishing the opportunity for the First Lady or anyone else who has access to those vehicles to use them. That is a choice that they will make, a choice that they will make in conjunction with the security interests that they will have as well.

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if the gentleman is so certain that current officeholders are already covered, I would ask him to cite the specific provisions of election law that applies. Just tell me where in the Federal Election Act, and I will not yield, the gentleman may talk on his own time. It says that current officeholders are blocked from using Government travel for political purposes, but the challengers are not. I have a letter from the Chair of the FEC which says that no provision of current law covers it.

Mr. Chairman, I yield 1 minute to the gentleman from California (Ms. LOFGREN), my good friend.

Ms. LOFGREN. Mr. Chairman, this partisan amendment is overtly aimed at the First Lady of the United States and no one else. Now candidates in Government planes pay back the Government for any part of their travel which is campaign related. If a candidate has to be guarded by the Secret Service, the FEC accommodates that in the cost calculation. That is the right thing to do.

A democratic Nation requires physical safety for public officials, and by the way, keeping the First Family safe benefits us all. This dangerous amendment also violates the Constitution's equal protection clause. Federal candidates who are not officeholders would pay, but not candidates who are already elected.

Mr. Chairman, that is a brand-new loophole for the in-crowd. The effect would be to repeal the repayment rule, but only for those already elected to a

federal office. It could benefit every Member of this House, but not those who challenge us.

This amendment creates special protections for federal officeholders that singles out the First Lady for bad treatment. It is bad policy, it is unconstitutional, it is petty, and it is unchivalrous. It deserves to be voted down.

Mrs. MALONEY of New York. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Maryland (Mr. HOYER), the leader of the Democratic party.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) is recognized for 30 seconds.

Mr. HOYER. Mr. Chairman, I thank the gentlewoman from New York for yielding this time to me.

We ought to reject this amendment. This is a large issue which we are debating, campaign finance reform. The American public wants campaign finance reform.

We ought not to mire ourselves in the petty politics, as the gentlewoman indicated. The gentleman from Pennsylvania says he did not mention the First Lady. He did not have to. He cannot mention anybody else that this affects. He cannot mention anybody else that this affects right off the top of his head. Mr. Chairman, I know it, and my colleagues know it. This is trying to make a petty political point to distract our attention from a major reform bill. Reject this amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York (Mr. SWEENEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. HOYER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from New York (Mr. SWEENEY) will be postponed.

It is now in order to consider Amendment No. 9 printed in House Report 106-311.

AMENDMENT NO. 9 OFFERED BY MR. DELAY

Mr. DELAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. DELAY:
Insert after title XV the following new title (and redesignate the succeeding provisions and conform the table of contents accordingly):

TITLE XVI—EXEMPTION OF INTERNET ACTIVITIES FROM REGULATION
SEC. 1601. EXEMPTION OF INTERNET ACTIVITIES FROM REGULATION UNDER FECA.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, 1001, and 1101, is further amended by adding at the end the following new section:

“EXEMPTION OF INTERNET ACTIVITIES

“SEC. 330. (a) IN GENERAL.—Except as provided in subsection (b), none of the limita-

tions, prohibitions, or reporting requirements of this Act shall apply to any activity carried out through the use of the Internet or to any information disseminated through the Internet.

“(b) EXCEPTION.—Subsection (a) shall not apply to the solicitation or receipt of contributions.

“(c) INTERNET DEFINED.—The term ‘Internet’ means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.”.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Texas (Mr. DELAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. DELAY).

Mr. DeLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment will prevent the burdensome restrictions and regulations in Shays-Meehan from applying to the Internet. Shays-Meehan will impose unprecedented free speech restrictions and discussions on the Internet. Chat rooms, e-mail and personal Web pages will all be regulated by the Federal Government if Shays-Meehan, as drafted, becomes law.

I want to take a minute to show my colleagues how overreaching some of these restrictions are. This Web site right here was created by an anonymous, private person who supports the gentleman from Missouri (Mr. GEPHARDT), the minority leader. The purpose of this site is to tell other people why DICK GEPHARDT and other Democrats are good people. Simply put, this private citizen is exercising his first amendment rights to communicate. But under Shays-Meehan, this site would violate the law.

First of all, the site clearly falls within the broad and burdensome express advocacy definition in Shays. Second, this person does not disclose their name and address, which Shays-Meehan would require. And third, the person has not submitted proper information to the FEC concerning the independent expenditure.

Now I want my colleagues to look at this Web site. This is the Nazi Party home page that freely distributes its hate and its filth across the Web. Under Shays-Meehan, this site is not regulated. These hate mongers can distribute their opinions under the protection of the first amendment without regulation.

Now I find it very disturbing that an informational site like this private citizen who supports the gentleman from Missouri (Mr. GEPHARDT) will be regulated while this Nazi Web site can freely distribute its filth. What is the sense in this legislation?

The Internet is a medium that allows individuals to engage in political discourse without regulation. I believe we should encourage this dialogue, not discourage it through burdensome regulations. Citizens should not be forced to register their Web sites with the Federal Government, and my amendment protects the rights of individuals

who want to engage in political communication on the Internet.

Even Democrat FEC Commissioner Karl Sandstrom supports this approach, stating that the best remedy for questionable information is more information, and our goal should be to encourage, not discourage, this new form of political participation.

So, Mr. Chairman, I could not agree more. We must defend the constitutionally guaranteed freedom of speech, and I urge my colleagues to oppose the burdensome Internet restrictions in Shays-Meehan and support this free speech amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DAVIS of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I would like to begin, if my colleague would promise to be brief in his response, with a colloquy with the distinguished majority whip. Do I take him to say that he would like to impose regulation on that Nazi website?

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from Texas.

Mr. DELAY. Absolutely not. I am for free speech, and I want open and free speech.

Mr. CAMPBELL. Reclaiming my time then, the gentleman's point about the unfair treatment is really not very based in fact in that he would have no regulation of either website. He pointed out that perhaps the Nazi site should be regulated.

Mr. DELAY. If the gentleman would yield, I never said that.

Mr. CAMPBELL. Mr. Chairman, I will allow the gentleman from Texas to correct it as I ask him the second question.

First off, let me just suppose for a moment this Gephardt For President web ad was paid for by the Red Chinese Communists. They put this money to put this ad on the web, and as I understand it, the gentleman's position would be that nobody would know that this was financed by the Communists in China—or similarly banner ads on the web that they can put on at huge expense, spending say, \$10 million.

Is that correct? Do I understand the gentleman's position.

Mr. Chairman, I continue to yield to the gentleman from Texas.

Mr. DELAY. If the gentleman will yield, first of all, I think it is a specious argument because I do not know how we would require the Chinese to file with the FEC, number one; and it just points out how when we seek regulating free speech, how complicated it can get.

Mr. CAMPBELL. Reclaiming the time, it is apparent to me that the gen-

tleman would not do anything to disclose the Red Chinese Communists funding a huge campaign for a candidate for office in the United States, provided they use the Internet loophole which his amendment creates, and that is exactly the reason why we have disclosure.

Shays-Meehan does nothing to prohibit free speech, but it does protect free speech by guaranteeing disclosure so that if the Red Chinese Communists are behind the gentleman from Missouri (Mr. GEPHARDT) for president, a possibility which I do not entertain, it would be known by the people of the United States.

What is going on in this amendment is absolutely clear. Just read it. It says "Except as provided in subsection (b)," which deals with fund-raising, "none of the limitations, prohibitions or reporting requirements of this Act shall apply to any activity carried out through the use of the Internet," [emphasis added] Not even the reporting requirements would apply.

I think I was asked to speak on this because my district cares more about the Internet, I suspect, than the average, but fair is fair. If the means of dissemination are to be controlled, the Internet should be covered no more and no less.

Mr. DELAY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I rise in strong support of this amendment. As a general policy, the Government should not try to control or regulate the Internet, and I think most of the 90 million Americans who send e-mail or surf the Web would totally agree with us on this.

Last year we overwhelmingly approved the Internet Tax Freedom Act. We were wise enough to allow commerce on the Web to grow and flourish unfettered by Government interference before trying to tax or control it, and I believe that keeping Government bureaucracies out of the business of regulating political speech on the Web is a very important thing for us to do.

This is not a partisan statement at all. In fact, a Democratic commissioner of the Federal Election Commission recently said the Internet changes politics. On the Internet every woman and man is a potential publisher. One need only visit the Web page of a sophisticated high school student to see how slim a technical advantage media giants enjoy.

The Government should not involve itself in regulating free speech, and I believe that support of this amendment is the most responsible thing that we can do.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise in strong opposition to the DeLay amendment. It is a poison pill that jeopardizes today's bipartisan effort to reform our campaign finance system.

The DeLay amendment exempts activities on the Internet from federal campaign finance laws. While proponents say they are protecting the Internet and protecting political speech, the DeLay proposal, if enacted, would endanger the Internet and stifle the voice of the average citizen. It is a step backwards; it is anti-reform.

First, it creates a potentially huge loophole through which big donors, corporations, and unions could pour unlimited funds into Internet ad campaigns to directly promote the election or defeat of a candidate. This would spread the disease of sham issue ads from the TV to the Internet.

Second, the DeLay amendment opens a loophole that would allow State parties to suspend unlimited amounts of soft money on Internet activities to influence federal elections.

Third, the DeLay amendment could undermine the FEC's authority to require mandatory electronic filing of campaign reports. That is hardly in the spirit of full disclosure so strongly advocated by the majority whip.

Despite the claims of the DeLay proponents, Shays-Meehan specifically allows nonpartisan voter guides to be distributed on the Internet as well as other venues. Despite the claim of DeLay proponents, the Shays-Meehan reform bill does not impose restrictions on users of e-mail or Internet chat rooms. Political discussion there is as protected and cherished as it is in the corner barber shop or a neighbor's living room. Shays-Meehan does not require people to list their Web sites with the Federal Government.

Mr. Chairman, the Internet is growing at an exponential rate. Congress thus far has taken a hands-off policy to let the Internet grow and flourish. The DeLay amendment, however, could undermine the freedom of the Internet by making it the favored conduit for special interests to fund soft money and stealth issue ads into federal campaigns.

Let us not poison the Internet and poison our democracy with this poison pill.

□ 1845

Mr. DELAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in introducing the chairman of the Internet Caucus, the gentleman from Virginia (Mr. GOODLATTE), I would just say the Internet is pure free speech. That is what makes it a powerful force for freedom around the world and here in the United States.

Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Texas (Mr. DELAY) for yielding and for offering this amendment, which I urge my colleagues to support.

Mr. Chairman, the Internet has the potential to be a revolutionary force in the evolution of our system of democratic governance. The ability of citizens to share information at relatively

little cost enables all Americans to become active participants in the political process.

In response to the gentleman from California (Mr. CAMPBELL), there is no way to control what people outside the U.S. put on the Internet any more than the Chinese can control what U.S. citizens put on the Internet.

For the gentleman to attempt to regulate some poor soul who wants to have a web site promoting the gentleman from Missouri (Mr. GEPHARDT) or any other American citizen running for office is an outrage, and we should strongly support this amendment and protect free speech on the Internet.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman is recognized for 1 minute.

Mr. DAVIS of Florida. Mr. Chairman, I think it is important to point out exactly what the bill does. The bill does not single out the Internet in any fashion. It is for exactly the reasons that were expressed by Mr. DELAY. He cited a commissioner that said that the Internet is going to bring about great change.

One of the arguments that is constantly made by the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from California (Mr. DREIER) is that we should not take a snapshot of the Internet in an attempt to decide exactly what is going on there. This is a very fluid situation. That is why it needs to be studied. That is exactly what the FEC is doing. They are studying how the Internet is going to affect politics, and it will be a positive force.

Meanwhile, we are here on the floor of the House today debating the proposition that if somebody is going to intend to influence the outcome of an election, whatever medium they should choose, they should have to stand up and attach their name to anything that they intend to say or do.

Those people that are ashamed of the political advertising that they are engaged in today, so ashamed that they do not want to put their names on it, will resort to any media to accomplish that dirty deed. We need to put it to a stop. We need to adopt the issue ad restrictions in this bill. We need to defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. DELAY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Texas (Mr. DELAY) will be postponed.

It is now in order to consider amendment No. 10 printed in House Report 106-311.

AMENDMENT NO. 10 OFFERED BY MR. EWING

Mr. EWING. Mr. Chairman, I offer amendment No. 10.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. Ewing:

Strike section 1601 and insert the following (and conform the table of contents accordingly):

SEC. 1601. NONSEVERABILITY OF PROVISIONS.

If any provision of this Act or any amendment made by this Act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this Act or any amendment made by this Act shall be treated as invalid.

In the heading for title XVI, strike "**SEVERABILITY**" and insert "**NONSEVERABILITY**" (and conform the table of contents accordingly).

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Illinois (Mr. EWING) and the gentleman from Massachusetts (Mr. FRANK) each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. EWING).

Mr. EWING. Mr. Chairman, I yield myself such time as I may consume.

First and foremost, I support campaign finance reform. Leadership supports campaign finance reform. Both the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) support campaign finance reform. However, this debate should center around real campaign finance reform, reform that closes loopholes that have tainted the current system; reforms which treat both political parties fairly; and reforms that protect the First Amendment rights of all Americans.

My amendment is about preserving the First Amendment rights of all Americans by enacting constitutionally accepted campaign finance reform.

In a hearing before the Committee on House Administration, constitutional experts from the ACLU to the Cato Institute indicated that Shays-Meehan was very seriously constitutionally flawed. In fact, those witnesses believed that important elements of the Shays-Meehan bill would be unconstitutional.

The proponents have indicated that Shays-Meehan is constitutional in all its major provisions. Yet, if the Court rules that any key provision of this bill is unconstitutional, this would put an unprecedented monkey wrench into our current system and make a bad situation worse.

Congress went down this road in the 1970s when it enacted laws without nonseverability provisions. This created the soft money problem we are trying to address today.

My amendment says one simple thing. If any part of the Shays-Meehan bill is ruled unconstitutional, then the entire bill becomes invalid. All the Ewing amendment does is provide a constitutional check for the bill. Recently, supporters of Shays-Meehan have declared my amendment a poison pill to their legislation. It seems to me that the proponents believe that much

of this bill is unconstitutional and that is why they are opposed to my amendment.

If the supporters of Shays-Meehan feel that their bill will stand the constitutional test, then why should they have any problem with supporting this amendment?

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I have a great degree of admiration for my good friend and colleague who proposes this amendment. And I have some sympathy for the concept of the amendment because, when the original bill was passed in 1974, it had expenditure limits and it had contribution limits. And I can understand how the two would march together or not at all. But that simply is not the case with Shays-Meehan.

In other words, there is in Shays-Meehan a prohibition on sham issue ads. That is a good prohibition whether the rest stands or falls. There is in Shays-Meehan a prohibition on contributions of a soft money nature. That is a good prohibition whether sham issue ads stand or fall. In other words, this bill is unlike the 1974 bill where, in order to get expenditure limits, one had to have contribution limits, and vice versa. Here, both are good. There is no quid pro quo. There is not, for example, a sacrifice that Democrats make in order to get a sacrifice for Republicans to make. Both provisions of this bill, the sham issue ad ban and the prohibition on soft money, are good.

Second, I think it is only fair that the authors of Shays-Meehan be allowed to offer their proposal and have it voted on as their proposal.

Third, I would just like to point out to all of our colleagues how frequently unanticipated provisions of bills are struck down. The clearest example of this is the one House veto, the legislative veto, struck down by the Supreme Court in *INS versus Chadha*. Nobody anticipated that. That same provision is in the laws about transfer of arms sales. It is in the war powers resolution. The war powers resolution, that allowed me to bring to the floor of the House the resolutions regarding Kosovo, had another provision saying that a single House could, by its order alone, withdraw the troops. We would have lost the entire bill, the entire value, the entire ability to bring the vote to the floor, simply because an unanticipated part was held to be unconstitutional.

Finally, I remain of the view that this bill is in all its parts quite constitutional, but I recognize people of goodwill can disagree. If one believes it is unconstitutional, which is the view of my good friend and colleague, then it seems to me just fairness would suggest that unless there is some overt quid pro quo in making this fabric into

one consistent whole, that he allow those parts which are constitutional to go ahead and work their beneficial effect.

With that, I conclude that the amendment though well intentioned is not the best way to proceed in this debate tonight.

Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. THOMAS).

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Chairman, although I appreciate the argument of my friend, the gentleman from California (Mr. CAMPBELL), the idea that a portion of a significant campaign reform bill ought to be allowed to stand, notwithstanding the fact that other provisions are declared unconstitutional, is exactly why we are where we are today because back in the 1970s they attempted to use the model, and we have heard this phrase repeatedly on the floor, that we want to stop corruption or the appearance of corruption.

The court, I think quite properly, looked at contribution limits and said if we limit the amount that someone was given it certainly could be plausible that the limit was there to stop corruption or the appearance of corruption but in no way should it extend to the expenditure of money. How does spending money corrupt?

The court then took that same logic and applied it to individuals who spent their own money and a key portion of Shays-Meehan that we have been concerned about is those individuals who make independent expenditures exercising their First Amendment freedom.

We heard the gentleman from Florida (Mr. DAVIS) in his opening statement say Shays-Meehan is constitutional. We heard the gentleman from California (Mr. CAMPBELL) say they believe it is constitutional. What we ought not to do is go down the same road we went down 25 years ago with campaign election reform.

Any structure is balanced. If we can come to an agreement now and the court throws out a portion, we ought to be able to come back and come to an agreement on a whole, not on a piece. For more than 25 years, we have operated on a piece. It seems that if we want to go down the reform road again, we ought to opt as a whole. It is either all constitutional or if a portion of it is not, it all falls and we do it again.

The only way to stop repeating exactly what we have done in the last 25 years is to say there should be no severability clause; that it all stands or it all falls. That is exactly what the Ewing amendment does. It ought to pass.

Mr. FRANK of Massachusetts. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Massachusetts (Mr. FRANK) has 3 minutes remaining. The gentleman from Illinois (Mr. EWING) has 45 seconds.

Mr. FRANK of Massachusetts. Might I make a parliamentary inquiry. Do I correctly assume the gentleman from Illinois (Mr. EWING) plans to close with his 45 seconds and not divide it?

Mr. EWING. The gentleman is correct.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have just seen a demonstration that while proximity may breed contempt, it can also breed familiarity because my ally on this issue, the gentleman from California (Mr. CAMPBELL), anticipated the argument we just heard and refuted it before it was made; a very impressive feat. As he pointed out, this is not at all analogous to the 1974 act because it is not meant to be interlocking, and that is why this is a sham amendment.

The gentleman says well, if we think it is all constitutional what are we worried about? Well, I do not know what the Supreme Court will do and no one else does. It is entirely possible they will find some parts constitutional. It is clear that other parts will not be found constitutional.

The gentleman from California (Mr. THOMAS), who just spoke, said they have different standards for contribution limits and expenditure limits. When we are talking about soft money, we are talking about contributions and that would clearly be constitutional.

This is an effort to try to kill the whole thing, if any part of it fails, by people who are against it.

By the way, if we adopted this principle that we do not have severability clauses, guess what we would not have? The Telecommunications Act of 1996. We passed the Telecommunications Act. Maybe some people who voted for it wish we did not have it, but we have it. Part of it was found unconstitutional, the Communications Decency Act.

We would not have a Brady bill. Now, that may make some people happy, although probably fewer than would have said they were happy a couple of months ago, but the Brady bill was found partly unconstitutional, the part that mandated that local officials go ahead with it. It was only because there was a severability clause that we still have handgun checks, because if we followed this notion that it all has to be balanced and of a piece and it is either all constitutional or all unconstitutional there would be no handgun checks now.

We would not have a privacy right for children because when my colleague, the gentleman from Massachusetts (Mr. MARKEY), offered a privacy right to children, which was just done last year, it was merged with another obscenity bill, which has already been found unconstitutional at the district court level by a Reagan appointee.

So this notion that it all hangs or falls together is simply a way to try to hang this whole bill by people who are against it. The gentleman from Cali-

fornia (Mr. THOMAS), who just spoke, said we all have to come to an agreement. Let us be honest. We are not coming to an agreement. The gentleman happens to be in disagreement with the majority on this bill. He is entitled to that, but he is not entitled to twist our normal constitutional doctrines around so that if the Supreme Court found any one piece of this unconstitutional, maybe the Supreme Court will find that there is a constitutional right of noncitizens to contribute, so maybe the majority that voted for the amendment will have then succeeded in killing the whole thing.

That is a nice way to go; there is a nonseverability clause, put through an amendment of dubious constitutionality, and then kill the whole bill. The fact is that we are not sure what will happen, but the key point was made by the gentleman from California. This is not an interlocking piece of jigsaw. It is a bill with several distinct provisions. If some part of the independent expenditure is held unconstitutional, that in no way makes it wrong to try to ban soft money, in no way. It in no way undercuts it. So, please, reject this silly notion that it is all constitutional or not and save Shays-Meehan.

Mr. EWING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me try to clear away some of this smoky rhetoric that has been put out here to mask the problem here.

This bill is an intricate interlocked bill that affects the Democratic Party and the Republican Party, and the part that affects the Republican Party is soft money and that will be constitutional; and the part that affects the Democratic Party is the issue advocacy and that will be unconstitutional. When we are done, we will have an unfair bill that does not treat both parties fairly and the gentleman knows it and I know it and that is why we should adopt this amendment.

Mr. ENGLISH. Mr. Speaker, I rise in strong support of the Ewing Amendment to H.R. 417. This amendment is a vital component to any meaningful campaign finance reform passed by the House today.

True advocates of campaign finance reform favor legislation that can survive legal challenge and remain balanced, that is, without unduly favoring one party or ideological grouping over another.

Many provisions of the Shays-Meehan bill that are most susceptible to unfavorable legal review are those most critical to the maintenance of this balance.

The Ewing Amendment fixes this by subjecting the entire Shays-Meehan bill to a rigorous test of Constitutionality. Non-severability is the true test of sincere reform. If my colleagues who support the Shays-Meehan bill really believe in the campaign finance reform package they are touting as the one real reform being debated today, I urge them to vote for this amendment.

Mr. EWING. Mr. Chairman, I yield back the balance of my time.

□ 1900

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. EWING).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Illinois (Mr. EWING) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 283, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 7 offered by Mr. CALVERT of California; Amendment No. 8 offered by Mr. SWEENEY of New York; Amendment No. 9 offered by Mr. DELAY of Texas; Amendment No. 10 offered by Mr. EWING of Illinois.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. CALVERT

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 7 offered by the gentleman from California (Mr. CALVERT) on which further proceedings were postponed and on which the noes prevailed by voice note.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 248, not voting 6, as follows:

[Roll No. 415]

AYES—179

Aderholt	Chenoweth	Fowler
Archer	Coburn	Galleghy
Army	Collins	Gekas
Bachus	Combest	Gibbons
Baker	Condit	Gillmor
Ballenger	Cook	Goode
Barcia	Cooksey	Goodlatte
Barrett (NE)	Costello	Goodling
Bartlett	Cramer	Goss
Barton	Crane	Graham
Bereuter	Cubin	Granger
Bilbray	Cunningham	Green (WI)
Bilirakis	Davis (VA)	Gutknecht
Blunt	Deal	Hall (TX)
Boehner	DeLay	Hansen
Bono	DeMint	Hastings (WA)
Brady (TX)	Diaz-Balart	Hayworth
Bryant	Dickey	Hergert
Burr	Doolittle	Hill (MT)
Burton	Duncan	Hilleary
Buyer	Dunn	Hobson
Callahan	Ehlers	Hoekstra
Calvert	Ehrlich	Hostettler
Camp	Emerson	Hulshof
Canady	English	Hunter
Cannon	Everett	Hutchinson
Chabot	Ewing	Isakson
Chambliss	Foley	Istook

Jenkins	Moran (VA)	Shuster
Johnson (CT)	Nethercutt	Skeen
Johnson, Sam	Ney	Smith (MI)
Jones (NC)	Northup	Smith (NJ)
Kelly	Norwood	Smith (TX)
Knollenberg	Nussle	Souder
Kolbe	Ose	Stearns
Kuykendall	Oxley	Stump
LaHood	Pease	Sweeney
Largent	Peterson (MN)	Talent
Latham	Peterson (PA)	Tancredo
LaTourette	Petri	Tauzin
Lazio	Pitts	Taylor (MS)
Leach	Pombo	Taylor (NC)
Lewis (CA)	Portman	Terry
Lewis (KY)	Radanovich	Thomas
Linder	Regula	Thornberry
Lucas (KY)	Riley	Thune
Lucas (OK)	Rogan	Tiahrt
Luther	Rohrabacher	Trafficant
Maloney (CT)	Royce	Upton
Manzullo	Ryan (WI)	Vitter
McCollum	Salmon	Walden
McCrery	Sanford	Walsh
McHugh	Saxton	Wamp
McIntosh	Scarborough	Watkins
McKeon	Schaffer	Weldon (FL)
Metcalf	Sensenbrenner	Weller
Mica	Sessions	Wicker
Miller (FL)	Shadegg	Wolf
Miller, Gary	Sherwood	Young (FL)
Moran (KS)	Shimkus	

NOES—248

Abercrombie	Etheridge	LoBiondo
Ackerman	Evans	Lofgren
Allen	Farr	Lowey
Andrews	Fattah	Maloney (NY)
Baird	Filner	Markey
Baldacci	Fletcher	Martinez
Baldwin	Forbes	Mascara
Barr	Ford	Matsui
Barrett (WI)	Fossella	McCarthy (MO)
Bass	Frank (MA)	McCarthy (NY)
Bateman	Franks (NJ)	McDermott
Becerra	Frelinghuysen	McGovern
Bentsen	Frost	McInnis
Berkley	Ganske	McIntyre
Berman	Gejdenson	McKinney
Berry	Gephardt	McNulty
Biggert	Gilchrest	Meehan
Bishop	Gilman	Meek (FL)
Blagojevich	Gonzalez	Meeks (NY)
Bliley	Gordon	Menendez
Blumenauer	Green (TX)	Millender-
Boehert	Greenwood	McDonald
Bonilla	Gutierrez	Miller, George
Bonior	Hall (OH)	Minge
Borski	Hayes	Mink
Boswell	Hefley	Moakley
Boucher	Hill (IN)	Mollohan
Boyd	Hilliard	Moore
Brady (PA)	Hinchey	Morella
Brown (FL)	Hinojosa	Murtha
Brown (OH)	Hoeffel	Myrick
Campbell	Holden	Nadler
Capps	Holt	Napolitano
Capuano	Hooley	Neal
Cardin	Horn	Oberstar
Carson	Houghton	Obey
Castle	Hoyer	Olver
Clay	Hyde	Ortiz
Clayton	Insee	Owens
Clement	Jackson (IL)	Packard
Clyburn	Jackson-Lee	Pallone
Coble	(TX)	Pascrell
Conyers	Jefferson	Pastor
Cox	John	Paul
Coyne	Johnson, E. B.	Pelosi
Crowley	Jones (OH)	Phelps
Cummings	Kanjorski	Pickering
Danner	Kaptur	Pickett
Davis (FL)	Kasich	Pomeroy
Davis (IL)	Kennedy	Porter
DeFazio	Kildee	Price (NC)
DeGette	Kilpatrick	Quinn
DeLahunt	Kind (WI)	Rahall
DeLauro	King (NY)	Ramstad
Deutsch	Kleczka	Rangel
Dicks	Klink	Reyes
Dingell	Kucinich	Reynolds
Dixon	LaFalce	Rivers
Doggett	Lampson	Rodriguez
Dooley	Lantos	Roemer
Doyler	Larson	Rogers
Dreier	Lee	Rothman
Edwards	Levin	Roukema
Engel	Lewis (GA)	Roybal-Allard
Eshoo	Lipinski	Rush

Ryun (KS)	Spratt	Vento
Sabo	Stabenow	Visclosky
Sanchez	Stark	Waters
Sanders	Stenholm	Watt (NC)
Sandlin	Strickland	Watts (OK)
Sawyer	Stupak	Waxman
Schakowsky	Sununu	Weiner
Scott	Tanner	Weldon (PA)
Serrano	Tauscher	Wexler
Shays	Thompson (CA)	Weygand
Sherman	Thompson (MS)	Whitfield
Shows	Thurman	Wilson
Simpson	Tierney	Wise
Sisisky	Toomey	Woolsey
Skelton	Towns	Wu
Slaughter	Turner	Wynn
Smith (WA)	Udall (CO)	Young (AK)
Snyder	Udall (NM)	
Spence	Velazquez	

NOT VOTING—6

Hastings (FL)	Payne	Ros-Lehtinen
Kingston	Pryce (OH)	Shaw

□ 1922

Ms. KILPATRICK and Messrs. WEYGAND, FLETCHER, PICKERING, and ACKERMAN changed their vote from "aye" to "no."

Messrs. SAXTON, ISAKSON, CANON, WAMP, CRAMER, LUTHER, WICKER, TAYLOR of Mississippi, PITTS, and MORAN of Virginia changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 283, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 8 OFFERED BY MR. SWEENEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 8 offered by the gentleman from New York (Mr. Sweeney) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 167, not voting 5, as follows:

[Roll No. 416]

AYES—261

Aderholt	Bilbray	Callahan
Archer	Bilirakis	Calvert
Army	Biley	Camp
Bachus	Blunt	Canady
Baker	Boehert	Cannon
Ballenger	Boehner	Castle
Barr	Bonilla	Chabot
Barrett (NE)	Bono	Chambliss
Bartlett	Boswell	Chenoweth
Barton	Boucher	Coble
Bass	Brady (TX)	Coburn
Bateman	Brown (OH)	Collins
Bereuter	Bryant	Combest
Berkley	Burr	Cook
Berry	Burton	Cooksey
Biggert	Buyer	Cox

Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Shows

Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns

Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wynn

NOT VOTING—5

Hastings (FL) Pryce (OH) Shaw
Kingston Ros-Lehtinen

□ 1941

Mr. McCOLLUM changed his vote from “aye” to “no”.

The amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. EWING

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 10 offered by the gentleman from Illinois (Mr. EWING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 259, not voting 7, as follows:

[Roll No. 418]

AYES—167

Aderholt
Archer
Armey
Ballenger
Barcia
Barr
Bartlett
Barton
Bateman
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cunningham
DeLay

DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Frost
Gekas
Gibbons
Gillmor
Goodlatte
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra

Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCollum
McCreery
McInnis
McIntosh
Mica
Miller (FL)
Miller, Gary
Mollohan
Nethercutt
Ney
Northup
Norwood
Obey

Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Radanovich
Reynolds
Riley
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Scarborough

Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)

Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)

Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Wamp

Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

NOT VOTING—7

Cubin
Hastings (FL)
Kingston

McKeon
Pryce (OH)
Ros-Lehtinen

Shaw

□ 1948

So the amendment was rejected. The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 11 in the nature of a substitute printed in House Report 106—311.

AMENDMENT NO. 11 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 11 in the nature of a substitute offered by Mr. DOOLITTLE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Citizen Legislature and Political Freedom Act”.

SEC. 2. REMOVAL OF LIMITATIONS ON FEDERAL ELECTION CAMPAIGN CONTRIBUTIONS.

Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

“(9) The limitations established under this subsection shall not apply to contributions made during calendar years beginning after 2000.”

SEC. 3. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 1999.”

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 901A. TERMINATION.

The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after December 31, 2000, or to any candidate in such an election.”

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

“(d) TRANSFER OF FUNDS REMAINING AFTER 1998.—The Secretary shall transfer all amounts in the fund after December 31, 2000, to the general fund of the Treasury.”

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

NOES—259

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baker
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehler
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner

Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hefley
Hill (IN)
Hilliard
Hinchee
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowe
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)

McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-Goode
McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rothman
Roukema
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder

SEC. 9043. TERMINATION.

The provisions of this chapter shall not apply to any candidate with respect to any presidential election after December 31, 2000."

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

"Sec. 9014. Termination."

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

"Sec. 9043. Termination."

SEC. 4. DISCLOSURE REQUIREMENTS FOR CERTAIN SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.

(a) **TRANSFERS OF FUNDS BY NATIONAL POLITICAL PARTIES.**—Section 304(b)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(4)) is amended—

(1) by striking "and" at the end of subparagraph (H);

(2) by adding "and" at the end of subparagraph (I); and

(3) by adding at the end the following new subparagraph:

"(J) in the case of a political committee of a national political party, all funds transferred to any political committee of a State or local political party, without regard to whether or not the funds are otherwise treated as contributions or expenditures under this title;"

(b) **DISCLOSURE BY STATE AND LOCAL POLITICAL PARTIES OF INFORMATION REPORTED UNDER STATE LAW.**—Section 304 of such Act (2 U.S.C. 434) is amended by adding at the end the following new subsection:

"(d) If a political committee of a State or local political party is required under a State or local law, rule, or regulation to submit a report on its disbursements to an entity of the State or local government, the committee shall file a copy of the report with the Commission at the time it submits the report to such an entity."

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to elections occurring after January 2001.

SEC. 5. PROMOTING EXPEDITED AVAILABILITY OF FEC REPORTS.

(a) **MANDATORY ELECTRONIC FILING.**—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking "permit reports required by" and inserting "require reports under".

(b) **REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE TO ANY POLITICAL COMMITTEE WITHIN 90 DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE WITHIN 24 HOURS.**—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended to read as follows:

"(6)(A) Each political committee shall notify the Secretary or the Commission, and the Secretary of State, as appropriate, in writing, of any contribution received by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election. This notification shall be made within 24 hours (or, if earlier, by midnight of the day on which the contribution is deposited) after the receipt of such contribution and shall include the name of the candidate involved (as appropriate) and the office sought by the candidate, the identification of the contributor, and the date of receipt and amount of the contribution.

"(B) The notification required under this paragraph shall be in addition to all other reporting requirements under this Act."

(c) **INCREASING ELECTRONIC DISCLOSURE.**—Section 304 of such Act (2 U.S.C. 434(a)), as amended by section 4(b), is further amended

by adding at the end the following new subsection:

"(e)(1) The Commission shall make the information contained in the reports submitted under this section available on the Internet and publicly available at the offices of the Commission as soon as practicable (but in no case later than 24 hours) after the information is received by the Commission.

"(2) In this subsection, the term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks."

(d) **EFFECTIVE DATE.**—The amendment made by this section shall apply with respect to reports for periods beginning on or after January 1, 2001.

SEC. 6. WAIVER OF "BEST EFFORTS" EXCEPTION FOR INFORMATION ON IDENTIFICATION OF CONTRIBUTORS.

(a) **IN GENERAL.**—Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking "(i) When the treasurer" and inserting "(i)(1) Except as provided in paragraph (2), when the treasurer"; and

(2) by adding at the end the following new paragraph:

"(2) Paragraph (1) shall not apply with respect to information regarding the identification of any person who makes a contribution or contributions aggregating more than \$200 during a calendar year (as required to be provided under subsection (c)(3))."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to persons making contributions for elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

Mr. HOYER. Mr. Chairman, I ask unanimous consent to yield 7 minutes to the gentleman from Tennessee (Mr. WAMP) and 7 minutes to the gentleman from Massachusetts (Mr. MEEHAN) and they will control that time, leaving myself with 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) is recognized for 20 minutes.

Mr. DOOLITTLE. Mr. Chairman, do I have the right to close on this amendment?

The CHAIRMAN. No. The gentleman from Maryland (Mr. HOYER), as a member of the committee does.

Mr. DOOLITTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have heard an awful lot about the problems of the present system. I would like to present what I believe are the problems with the system. I think it has tremendous problems. They are intolerable and they cry out for reform. It is just that the nature of the reform that I would favor is much different than the advocates of Shays-Meehan would favor.

I believe that today's campaign finance system requires current and prospective office-holders to spend too much time raising money and not enough time governing and debating issues. Today's system has failed to

make elections more competitive. And indeed, since the 1974 amendments, the disastrous system we have that was created by those amendments, voter participation has actually declined.

Today's system allows millionaires to purchase congressional seats and inhibits the ability of challengers to raise the funds necessary to compete. Today's system hurts taxpayers by taking nearly \$900 million collected in federal taxes and subsidizing the presidential campaigns of all sorts of characters, including convicted felons and billionaires.

Today the system hurts voters in our Republic by forcing more contributors and political activists to operate outside of the system where they are unaccountable and consequently more irresponsible. That latter fact is what causes the advocates of Shays-Meehan to focus upon soft money because that is one of those areas. But they fail to understand that what is driving soft money is the unadjusted limits on hard money, never changed in 25 years.

Justice Thurgood Marshall in *Buckley v. Valeo* observed that one of the points on which all members of the court agree is that money is essential for effective communication in a political campaign.

David Broder, not known I do not think as a Republican, this is not a conservative, but he wrote in the *Washingtonian* 3 years ago and said the following:

"Raise the current \$1,000 limit on personal campaign contributions to \$50,000. Maybe even go to \$100,000."

I note parenthetically, we could not even go to \$3,000 tonight let alone 50 or 100 like Mr. Broder has recommended.

"Today's limits are ridiculous given television and campaigning costs. Raising that limit with full disclosure would enable some people to make really significant contributions to help a candidate."

My campaign finance reform goals are the following: we should encourage political speech rather than limit it, like the supporters of Shays-Meehan want to do. We should promote competition, freedom, and a more informed electorate, not limit their information at the time when people are coming awake and paying attention to politics, namely, 60 days before an election. We should enable any American citizen to run for office, not just of the wealthy, not just the well connected. And that tends to be the trend if we continue down this road of regulation, like Shays-Meehan. We should increase the amount of time candidates spend with constituents in debating issues rather than raising money.

Just last week we lost a couple of candidates for the Senate because of this very thing. They could not put themselves through the absurd race to raise money that the present law requires.

And lastly, we should make candidates accountable to their constituents for the money they accept.

I propose to achieve those goals with the Citizen Legislature and Political Freedom Act embodied in H.R. 1922, which is the substitute I bring before my colleagues now.

This legislation repeals limits on how much individual and political action committees may contribute to candidates or parties. It repeals limits on how much parties can contribute to candidates. We think political speech is good, and we think those limits have got to go.

This bill also terminates the horrid taxpayer financing of presidential election campaigns that we have in place today. This legislation requires political parties to distinguish between federal and nonfederal funds and requires that each State party file with the FEC a copy of the same disclosure form as filed with the State. That way we do not add any bureaucratic requirements to what the States have to do, but we make the information available for people to see.

We require electronic filing of campaign reports, and we require those reports to be filed every 24 hours within 3 months of an election. With the advent of the Internet, any person with a computer and access to the Internet will be able to access this information. The media, of course, will do that and it will be available for all to see.

That is why we call ours the full disclosure act because we get right to the heart of it, and we make this information available to the electorate rather than empowering a new government information czar.

We require the FEC to post all campaign reports on the Internet. They do not have to go down to the government office and get the Xeroxed copy of the report somebody mailed in months after the election. They will have it right there on the Internet.

By the way, we also bar acceptance of campaign contributions unless specific disclosure requirements are met. We repeal, if you will, the best-effort rule. That is what the legislation does.

Mr. Chairman, I reserve the balance of my time.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. BILBRAY), who has been very active on this issue for many months and years now.

Mr. BILBRAY. Mr. Chairman, I regretfully have to stand in opposition to the substitute.

I think the gentleman from California (Mr. DOOLITTLE), my dear colleague that I have worked so closely with for so long, has come up with a lot of hard work and a total reform of the approach to campaign finance reform, and I have got to give him credit for that. He has shifted the whole perspective to a whole new view.

We may be there some day, but the fact is today we have Shays-Meehan in front of us. We have a bill that tries to correct the problems of campaign finance reform that was passed in the 1970s.

The proposal of the gentleman from California would totally approach the issue totally different than we have in the last 30 years. I would ask us to consider, let us see if we can fix the existing system before we try to replace the entire system with a whole new approach.

Now, I happen to have had the privilege of serving as a county supervisor in California in a county of 2.8 million people with districts as large as congressional districts; and our campaign limits were \$250 a person, no PACs, no corporate checks, no union participation.

Let me tell my colleagues something; it works. I just ask, do not fear campaign finance limitations. It is an equal ground. Everybody plays by the rules, and we move forward.

So I have to say, in all fairness, I think the gentleman from California (Mr. DOOLITTLE) may have a great argument, but my question is, before we try to scrap the old system and move on, let us try to fix the one we have in Shays-Meehan.

Mr. MEEHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), a cosponsor and an author of the clean elections bill himself.

Mr. TIERNEY. Mr. Chairman, I thank my colleague from Massachusetts for yielding me the time, and I congratulate him on once again having the tenacity to stay with the Shays-Meehan bill and bring it back to this House.

With all due respect, I suggest that the proposal by our colleague from California is a step backwards, certainly not a step forward. I would say that we should support the Shays-Meehan bill and note that that is in fact only a partial reform.

The bill that I propose pending before this body and some day, hopefully, we will get it as part of a rule and be able to debate it is the clean money, clean elections bill and in fact calls for public financing of campaigns.

I understand all of the arguments that the gentleman from California (Mr. DOOLITTLE) has made and just suggested. There is nobody that I hear in the district, no average citizen, that thinks that it is going to be easier on elections if in fact they can raise money or thinks that people are going to stop raising money at some point in time. In fact, if we raise the limits, they are going to spend more, raise more, have more TV ads and go on.

□ 2000

The clean money, clean elections bill will in fact be the one process by which we can lower the cost of campaigns. It requires broadcasters to give time for campaign ads at low or reduced cost, because in fact we have given them a public value, we have given them the spectrum, and they ought to in return give some public benefit back on that and that would reduce the cost of campaigns by some 40 or 50 percent.

The clean money, clean elections bill would limit the amounts of money spent. It would make campaign season shorter by virtue of the distribution schedule. It would make the money chase end. People would not have to spend virtually all their time raising money. And, in fact, it would allow people that are not personally wealthy and do not know people with \$50,000 or \$75,000 or \$3,000 able to run for office and have a reasonable prospect of campaigning and winning. It is, in fact, the kind of campaign reform that most of America wants. State after State are passing referenda and certifying that they want to have a campaign system where they get their elective process back in their hands. They have heard all the arguments. All of those referenda has been put to them in a way of, "Do you want public money buying bumper stickers for candidates?" The resounding answer is "Yes, rather than special interests paying that money, we want to have our election process back."

Let us pass Shays-Meehan and get beyond that someday to real campaign finance reform.

Mr. DOOLITTLE. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), the distinguished House majority whip.

Mr. DELAY. Mr. Chairman, I think we just heard what this is all about. This is about more regulation of free speech and, at the end of the last speaker's remarks, taxpayer-funded elections. That is where we are headed when you regulate free speech and regulate the people's right to participate in the political system.

Mr. Chairman, I rise today in support of this substitute legislation. We simply cannot allow the participation of Americans in our democracy to be limited. We have an important choice today, a choice to either encourage participation in our political system or a choice to limit it. We can either choose to uphold the first amendment which guarantees our citizens the right to free speech, or we can choose to infringe upon this right.

Now, some of the rhetoric on the other side might sound good, but we must not allow those who support Shays-Meehan to fool us. In short, the Shays-Meehan bill restricts the democratic process by placing unfair regulations on those willing and able to compete as candidates and as their supporters. While accountability in fundraising is necessary, we must be sure that we do not limit the ability of those who want to compete through fair and worthy avenues to do so. The Doolittle substitute will instill this accountability. Among other things, the Doolittle substitute institutes new filing requirements and mandates that the Federal Election Commission post all campaign reports on the Internet. After all, what reform can restore accountability more than an open book? Simply put, freedom works.

Only those supporting Shays-Meehan would think that freedom is a step

backwards. The important responsibility of this body is to protect freedom, not take it away.

Mr. Chairman, Congress must work to reform, not restrict, the political process. We must encourage, not limit, our citizens' ability to participate in the political system. I urge my colleagues to vote for fairness, vote for freedom in our political system by supporting this substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOEFFEL), one of our most distinguished new Members.

Mr. HOEFFEL. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute amendment. A vote for the Doolittle substitute is a vote to kill Shays-Meehan. I urge opposition to all of the poison pill substitutes and urge support of Shays-Meehan.

The Doolittle substitute would eliminate all Federal contribution limits, end public financing of presidential campaigns, which has worked well, and would weaken the disclosure requirements contained in Shays-Meehan.

Instead, we should adopt Shays-Meehan, which prohibits soft money contributions, stops the sham issue ads and strengthens FEC disclosure and enforcement.

The House should also pass comprehensive reform to implement voluntary spending limits for campaigns in exchange for partial public financing and free and discounted air time. These reforms also deserve a floor debate and the attention of this House.

Again, I urge my colleagues to oppose Doolittle, support Shays-Meehan, and move on to Tierney.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute. The Doolittle substitute repeals all existing limits on contributions, ends the presidential public financing system, and requires disclosure of funds transferred to a State or local political party. But let us be honest. This amendment would virtually turn over the campaign finance system to the wealthy and the special interests.

Mr. Chairman, in a recent survey, over 50 percent of Americans said they believe that Abraham Lincoln's revered formulation that our democracy is a government of, by and for the people no longer applies. Passing the Doolittle substitute will regrettably confirm this very cynical perception of public service and public servants.

It will take the passage of meaningful, comprehensive campaign finance reform, which is the Shays-Meehan bill, H.R. 417, to change the prevailing attitude.

Mr. Chairman, the key word here is comprehensive campaign finance reform. The Doolittle substitute, al-

though it may be well-intended, is window dressing. It requires only limited disclosure rather than making the necessary changes to clean up the current system, namely, ending soft money and reining in sham issue ads.

Mr. Chairman, I urge my colleagues to vote "no" on the Doolittle substitute and support final passage of the Shays-Meehan bill.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES), again, one of the leaders on campaign finance reform.

Mrs. JONES of Ohio. Mr. Chairman, I rise in opposition to the Doolittle substitute amendment, eliminating all Federal campaign contributions and public financing of presidential campaigns. In effect, the Doolittle amendment would be the kiss of death for H.R. 417, the Bipartisan Campaign Reform Act, because it guts the essence of the Shays-Meehan bill. Eliminating public financing of presidential campaigns in effect eliminates the ability of the little people to impact a presidential election at a time when voter apathy and participation is at an all-time low. Eliminating limits on contributions allows the haves to speak louder and places a gag on the have-nots. Eliminating campaign contribution limits will cause the House of Representatives to represent only the wealthy and leave the poor un- and underrepresented.

I urge my colleagues to vote "no" on this amendment. All the proposed reporting is only a smoke screen to cover this attempt to turn public office and public officeholders over to the wealthy.

Mr. DOOLITTLE. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to support the Doolittle substitute. Thirteen States do not have limits, and I do not think you can name them because they do not stand out as States loaded with public corruption. Thirteen States do not limit campaign financing. We should be here debating increasing disclosure, immediate reporting and enforcement.

I have heard speaker after speaker talking about laws not being enforced. What about more laws without enforcement? Yet folks in this city have worked themselves into a state of hysteria over what they call campaign finance reform. This in spite of the fact that survey after survey show that most Americans rate campaign finance reform near the bottom of their concerns, if they rate it at all. Then why the hysteria?

The liberals' idea of reform rests primarily on restricting the free flow of moneys and ideas to the public through any channels except those they control and they regulate.

The refreshing motto of Fox Cable News network is "We report and you decide." That is how elections ought to be. We report who helped us and you decide. By contrast, the motto of lib-

erals and their media allies embodied in the Shays-Meehan bill seems to be, "We report, we decide, and everyone else be quiet."

It is a bedrock principle of American political heritage that money is speech. When the supporters of Shays-Meehan want to restrict and regulate the amount of money in campaigns, they want to restrict and regulate the amount of speech. They decide, not the voters. Even the American Civil Liberties Union has stated that the Shays-Meehan bill is patently unconstitutional and makes it harder for ethnic and racial minorities, women and non-mainstream voices to be heard prior to an election. It will be an incumbent protection bill.

I will give my colleagues an example from Pennsylvania when you do not have money to get the message out. In 1998, Governor Ridge was running for reelection, the senior Senator from Pennsylvania was running for reelection, and they both had strong bipartisan support. They both had three, four or five Democrat opponents in the primary but none of them could raise any money because of the strength of the incumbents. So when it came to the primary election in my district, Clarion and Elk County, because the message did not get out because the candidates did not have any money, 19 percent of the Democrats voted. In McKean County, 9 percent. In Jefferson County, 6 percent. Why? They did not know the candidates, they did not know about them, they did not know who to vote for, so they stayed home. If you want people to come out and vote, they have to understand what the candidates stand for and that is about free speech.

Mr. Chairman, I support the Doolittle reforms because they are in the American tradition. They truly "do little" when it comes to restricting first amendment rights. They remove the restrictions of most campaign giving and spending, and thus remove the restrictions to free speech. At the same time, they require immediate and full reporting of all contributions. Immediate and full reporting of all contributions. Shays-Meehan does not do that. The message that money buys then can reach more voters and the voters can judge for themselves the message and who is supporting it.

Like Fox News, the Doolittle approach says to voters, "We report, you decide." If the liberal media is so concerned about how much campaigns cost today, then why do they not turn themselves into electronic Wal-Marts and charge the lowest prices for campaign ads? No, the highest. They are like an airline carrier charging hostage-level prices for tickets and complaining that people are spending too much money on transportation.

To add a little more perspective, during the Super Bowl the networks charge more for a single 30-second commercial than I have spent in two congressional elections, \$1.6 million. Is anybody crying about that?

Liberals cry that too much money buys elections and corrupts the process. People need to understand the candidates and what they stand for. Thirty million Americans listen to network news regularly. One hundred million Americans elect our Presidents. In 1996, 76 million Americans voted for Congress. Only 30 million of those people watch the news regularly. Somehow, the message of our candidates has to get out to the people. It takes money. It takes a message. The people will buy when money is behind a message, because if the other were the case, we would have elected Huffington for the Senate because he certainly had the money, we would have elected Forbes and Perot for President because they had the money. It is the message that has to be driven by the money.

Certainly Eugene McCarthy would not have had a shot to run against Lyndon Johnson if Stuart Motts had not come to his aid because Lyndon Johnson had shut down his ability to raise money.

Yes, Mr. Chairman, when it comes to really eliminating corruption and creating a fairer, freer and more constitutional environment in American political life, I support Doolittle. We need to simplify the process, not turn it over to another government bureaucracy.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Minnesota (Mr. LUTHER).

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Mr. LUTHER. Mr. Chairman, I rise in opposition to the Doolittle amendment. This amendment which allows unrestricted contributions in our federal political process shows just how out of touch Congress can become.

I challenge all Members of this body to go to any meeting in their district and ask their constituents how many can afford a \$1,000 contribution. They will get virtually no one in that room, and they will get a lot of snickers from the people in that room.

Mr. Chairman, if Congress truly wants to reduce the influence of money in politics today, we should work to set up a system where more people can participate and give small amounts in the political process. We have done some of that at our State level in Minnesota, and other States have taken similar steps.

The absolute last thing we should do to get money out of politics is to allow a few interests to give even more money than they are giving today. The Doolittle amendment moves us in exactly the wrong direction. It gives us less democracy rather than more. Mr. Chairman, I urge its defeat.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. BOEHLERT) who represents Cooperstown and the baseball Hall of Fame.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, I rise in strong opposition to the Doolittle substitute, which is quite simply an effort to kill the Shays-Meehan bill. The Doolittle substitute not only would block any new efforts to reform campaign finance, it would actually repeal the few successful reforms that we passed in the 1970s.

The fundamentals of our democratic system are at risk, and this Congress must not be so complacent as to ignore the evidence that is all around us. Turn-out in elections is at an all time low. Polls show public confidence in government at record lows as well. As the Supreme Court has noted many times, democracy can thrive only if there is a marketplace of ideas, but it is not supposed to be a marketplace that belongs to the highest bidder.

By a marketplace of ideas our forefathers meant a place of fair, free, and open exchange. But in our time we have perverted that concept so that the marketplace of ideas has become commercial, a place where ideas triumph when they are backed by large sums of money.

The very way we talk about campaigns shows how far we have drifted from our Founding Fathers' ideas. Opponents of Shays-Meehan say that the system is not out of kilter because soft money amounts to only about 50 cents per voter. But that is an advertising concept, not a civic concept.

Mr. Chairman, I urge my colleagues to beware of sunshine patriots who come to the defense of the first amendment only when the free speech being defended comes with a price tag.

Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Wisconsin (Ms. BALDWIN), a truly outstanding member of the freshman class and a member of the Committee on the Judiciary.

Ms. BALDWIN. Mr. Chairman, we are living in a day and age when there is a tremendous amount of cynicism about electoral politics and involvement in democracy. The perception that candidates are being bought, that elections are more like auctions, has resulted in a widely held sentiment that a person's vote does not count any more. I believe that the Shays-Meehan bill is an important step in the right direction to regain the trust of the American people and to reclaim our democracy.

Mr. Chairman, the Shays-Meehan bill is the only comprehensive campaign finance reform package before us today. It bans all contributions of soft money and shines a spotlight on the way special interest groups have been able to influence the outcomes of elections.

The Doolittle substitute by contrast does nothing to limit contributions or to reign in sham issue advocacy ads.

By removing all contribution limits, the Doolittle substitute would allow individuals and PACs to make unlimited contributions to candidates and parties. I fear that alone would further erode the public confidence in our

democratic process. But the substitute does more harm by failing to require disclosure of special interest money used in certain campaign ads. These ads have avoided disclosure requirements by posing as issue advocacy.

I believe that Americans have the right to know who is influencing the outcome of our elections.

Mr. DOOLITTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I am a cosponsor of the Doolittle bill and am proud to stand here in front of my colleagues in full support of that bill. I congratulate the gentleman from California (Mr. DOOLITTLE) for bringing forward this bill, and I thank him for yielding me time.

Campaign finance is like so many other issues. There are two basic philosophies. Free speech and free market is one philosophy; increasing the size of the Federal Government with more restrictive regulations is the other philosophy. Mr. Chairman, I stand before our colleagues in favor of free speech. Over time, a big-government approach has choked our campaigns. Regulation without provision for inflation has dwindled the real value of contributions to just 30 percent of what it was when enacted. Indeed, Mr. Chairman, these strangling limits may be what led the Democrats into all of their campaign finance irregularities.

Let us pass the Doolittle substitute. Let us free up political speech as America's founders intended, in the tradition of Thomas Payne, the publisher of free political speech in that famous document, Common Sense, that enabled the creation of this great Nation.

Mr. Chairman, I urge support of the Doolittle substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE), a distinguished political scientist who has probably studied elections as much as any of us on the floor.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, we have an opportunity today to take a serious step toward cleaning up elections financially and otherwise. The Shays-Meehan bill closes the soft money loophole that has made a mockery of the existing contribution limits. It holds advocacy groups accountable for the money they raise and spend in campaigns. It strengthens enforcement. And it includes a variant of my stand-by-your-ad bill to make candidates and committees more accountable for the ads they run.

Stand-by-your-ad was first introduced by the gentleman from California (Mr. HORN) and myself 2 years ago. It is a good North Carolina idea originated by Lieutenant Governor Dennis Wicker, recently passed by our General Assembly and signed into law. It will make candidates think twice before running mud-slinging or distorted

ads, for the sponsoring candidate will have to appear in that ad and take responsibility for it.

Shays-Meehan is legislation we should have passed months ago, but I am pleased that this bill is finally on the House floor. Many of us wish the bill did more, but it is a compromise worthy of our support.

I urge defeat of all substitutes and passage of the Bipartisan Campaign Reform Act.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS) who has shown exemplary demeanor all day today.

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding this time to me, and as the gentleman from Pennsylvania (Mr. PETERSON) was speaking, I, for one, thought how good it was to have him come back after his surgery but how I disagreed with him on his basic point. The bottom line is this bill eliminates soft money, the unregulated money from individuals, corporations, labor unions, and other interest groups. It calls the sham issue ads what they are, campaign ads, which means to run them free speech, but have to have disclosure, and that is something that is not in the substitute offered by the gentleman from California (Mr. DOOLITTLE). He does not want the sham issue ads to be disclosed even though he says he is for disclosure.

Mr. Chairman, the third thing it does is we require immediate disclosure on the Internet of expenditures, and we provide for stronger FEC enforcement; and then anything we have not dealt with in our bill, we deal with in the commission bill.

It has been against the law since 1907 for corporations to contribute to campaigns. It has been against the law since 1947 for union dues money to be used in campaigns. It has been against the law since 1974 for foreign countries to contribute to our campaigns. But all three take place, and they take place through the absurdity of soft money and these sham issue ads.

Mr. Chairman, I believe that dirty disclosed money beats no money any day, and what we do is we provide for disclosure, and we provide for an even field for all who wish to participate in the political process.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I would like to thank the gentleman from Massachusetts for yielding this time to me.

This legislation that is considered in the House of Representatives on September 14, 1999, in my opinion is the most important legislation that we take up in this session. It goes to the heart of the political process in America, the integrity of our electoral process.

All of us know the level of cynicism that exists in our communities regarding politics in America. I believe that all of us have a commitment to try to

clean this up. Unfortunately, strong differences of opinion have frustrated these efforts over the last 10 years. Numerous bills have come up. They have been subject to filibusters, to vetoes, to deadlocks, and the inability that we have had between Congress and the White House to agree on how to proceed.

This fall we have an opportunity to agree. We have an opportunity to pass legislation in the House, the Senate, send it to the White House for signature. We cannot let amendments like the one that is under consideration undermine this effort.

Mr. WAMP. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Tennessee has 1 minute remaining.

Mr. WAMP. Mr. Chairman, I just would like to say that this substitute is an honest effort, frankly, to address this issue because it is intellectually pure and ideologically doable, and I applaud the gentleman from California (Mr. DOOLITTLE). Unlike the third substitute amendment which we will consider tonight, the Thomas substitute, which is really not about campaign finance reform, it is about campaign reform and FEC reform and technical corrections, and we tried to make an amendment to the underlying bill instead of a freestanding substitute. This substitute and the Hutchinson substitute are good efforts to look at the alternatives that we have before us.

But this is not an ideologically perfect situation because I do not think the American people would allow us to go back to the way things were a long, long time ago with unlimited contributions. I understand full disclosure would be there and the American people could go out and elect folks, but in this day of money and power and influence and the entertainment industry really having such an impact on people and television being such a powerful medium, I think the people expect us to try our best to fix the current system.

Mr. Chairman, that is what Shays-Meehan does, and I support it and not the substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Chairman, I rise today in opposition to the substitute amendment, in strong support for the Shays-Meehan bipartisan campaign finance reform act.

An editorial in one of today's newspapers in my home State of Tennessee says it is hard to overestimate the importance of this vote for rebuilding public trust in the American electoral system. Congress has debated campaign finance reform since 1985, and in the meantime the public has only grown more disenchanted with our political process. Americans want their elected representatives to act in their best interests, not in the interest of the privileged few.

□ 2030

Americans want their representatives to be chosen not based on the richness of their pocketbook but the richness of their character and message. In short, they want a government of the people, by the people, for the people. Let us have the courage to give them what they want, not because it will benefit their fund-raising coffers but because they deserve nothing less. Vote no on the substitute amendment and support real campaign finance reform.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for 1½ minutes.

Mr. MEEHAN. Mr. Chairman, in many ways, the debate on this substitute is a debate that I think crystallizes the differences of opinion of what we are doing. Many of the substitutes and many of the amendments are really designed to cloud the issue, are really designed to fool the public. That is not the case with this substitute. This is a case of a difference of opinion.

The gentleman from California (Mr. DOOLITTLE), and I respect his honesty, would like to repeal all contribution limits. He wants to end the presidential system of public financing, which is an incentive to get the presidential candidates to limit how much money they spend. Yes, in fact, I think this amendment crystallizes the difference between those who think we should have more money in the election process in this country and those of us who believe we should try to lessen the influence of money in American politics.

I have to say, I think the American people are with those of us who want to lessen the influence. Two out of three Americans think that money has an excessive influence on elections and government policy. According to the Committee of Economic Development, a group of CEOs, two-thirds of the public think that their own representative in Congress would listen to the views of outsiders who made large political contributions before a constituent's views, and 92 percent of the people think that too much money is being spent on political campaigns in our country.

So this is a clear choice. Whether one wants to have more money spent, more wealthy individuals spending unlimited amounts of money so that somehow elections become we are going to compete with soap suds or Coca Cola or Pepsi, or whether or not we are going to reform this system, let us defeat this substitute and pass Shays-Meehan tonight.

Mr. DOOLITTLE. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentlemen from California (Mr. DOOLITTLE) is recognized for 5½ minutes.

Mr. DOOLITTLE. Mr. Chairman, I hate to talk about myself as an example but I think I will, just to illustrate

the point of view that I have about this. I could talk about Eugene McCarthy, the Senator who was able to run for President, was not subject to this because this law did not exist in those days. I think he said he raised a million dollars from ten people. It was enough money to basically successfully move out of the presidential race the incumbent President Lyndon Johnson. He definitely made a huge impact on the affairs of the Nation by the step that he took. I think many, looking back, would view what he did as a positive step for the Nation.

I could talk about Senator James Buckley who has authored an excellent article, and it is interesting because this is the plaintiff in the famous Buckley versus Valeo case, who is now a senior judge with the U.S. Circuit Court of Appeals for the District of Columbia. If I have time, I will quote from this article, but it is in the current issue of National Review. September 27 is the date; great article. It is an interesting perspective by the author.

Let me just talk about why I am so opposed to the other approach, the big government one, the increased regulatory approach, which I submit has never worked and cannot work and will not work, which I also submit is largely unconstitutional and would be struck down by the Supreme Court under the precedents that have been set, but even beyond that is highly undesirable because it is going to have the effect of curtailing political speech before elections, which is just when we want to have all the information and speech that we can get.

Yes, people are cynical, I acknowledge that as well, but unfortunately this sort of failed approach piling on more of the same old failing approaches is not going to relieve the cynicism.

The Washington Times correctly refers to this as a campaign finance charade; and unfortunately, I believe that is correct.

Let me just go to my own case. When I ran for office in 1980, no one had ever heard of me. I had never held any political office of any kind, but I cared about crime and education and taxes and I ran and I was able to get support from a relative handful of people that were willing to put in substantial amounts of money just like they did for Senator McCarthy.

Had I been forced to run under the present laws we have today, I would never have been successful; I could not have been because when one does not have any name ID or any notoriety, one cannot get lots of contributions from the general electorate just by sending out a mailing. Nobody has ever heard of his name. So one needs the ability, as a challenger, to be able to go and raise seed money. It is not because money buys elections. Money does not buy elections. That has been demonstrated time and time again. The gentleman from Pennsylvania (Mr. PE-

TERSON) very accurately stated the realities there.

However, one can never win an election without money. Money is what gives one the opportunity to present their views to the electorate.

I just think the arguments are so circuitous; it is like black is white and white is black when I listen to this debate.

I am taking the position I am taking because I want the average person to be able to run for office. The wealthy can already run for office. In fact, they are the only ones in the whole country that have no spending limit under the present law. They can spend whatever they choose to get elected. It is only the rest of us that are limited in terms of the contributions that we can receive.

Existing government regulation of campaigns is poisoning our system, and yet despite that fact, despite the fact that soft money is a symptom of the problem, it is not the problem, it is being treated as the problem.

What happens with a patient? I am not a doctor but I have been sick and we all know people who have been. What happens when the doctors treat the symptom rather than the problem? The patient is not cured.

This problem has been misdiagnosed for 25 years. We have been piling on more and more and more regulations. It is like the doctor that gives a prescription and the patient is still sick so he doubles the dosage. The patient comes back sicker yet. He doubles it again.

Voter participation has continued to decline coincidentally, though not a coincidence in my view, with the enactment of the 1974 amendments to the Federal Election Campaign Act, the very law that we are faced with today.

The more we pile on regulation, the more we discourage people from participating; the more we reward the wealthy and those who have notoriety. What is the matter with a person of average means being able to run for office and going and getting some other people who have greater means to back him, or back her, and get those views out?

Money does not buy the elections but money is the means of communicating the views to the electorate and then the electorate can decide. I ask for an "aye" vote.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND) to close on our side.

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. I thank my friend, the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute and in strong support of the Shays-Meehan bill. I think there is just a fundamental difference between these two different bills. If my colleagues believe there is too much money in the political sys-

tem, then support Shays-Meehan. If my colleagues believe there is too much influence of money in the political process, then support Shays-Meehan.

The difference between the two is very simple. Rather than take a step to contain the big dollar contributions to the political parties, Doolittle would blow the lid off current contribution limits. Instead of reducing the influence of special interest money, the Doolittle substitute would start a bidding war.

Shays-Meehan, on the other hand, would eliminate the biggest of the big money contributions to the political process, the unregulated soft money contributions.

This chart demonstrates the trend of soft money contributions during presidential election years. In 1988, it was roughly \$45 million; but then it escalates every presidential year after this. In 1992, \$86 million; 1996, \$262 million; and if current projections of the first 6 months of this year hold true, we are looking at between \$500 million to \$750 million in soft money contributions in this next election cycle.

The people across the country see what is happening. They may not understand the nuances of current campaign finance rules, but they do understand that there is too much money in the political system and that money translates into access and influence.

What is funny about today's debate is some of the CEOs who are making these large soft money contributions are also saying that the system is broken and needs fixing. In fact, a business group called the Committee for Economic Development recently endorsed campaign finance reform. The chairman of that committee calls the current system a "shakedown" and business executives have no choice but to "play by the rules of the game."

It is time to rewrite the rules of that game and eliminate soft money contributions. So I urge my colleagues to reject this "show-me-the-money" substitute bill that is being offered and instead support true comprehensive campaign finance reform, the Shays-Meehan bill.

This vote is long overdue. For almost three years we have heard about the abuses in the campaign finance system. We have heard from our constituents that they feel their voice has been drowned out by the big money special interests who push their own agenda. We have heard a lot of rhetoric from leaders in Washington who say they want to clean up our elections yet have failed to allow a vote on changing the system until now, when it is too late to affect this year's elections.

There are many members of this body who are committed to reform of our broken campaign finance system. I applaud the efforts of my friends Congressmen SHAYS and MEEHAN for their courageous leadership on this issue. The Shays-Meehan bill will take the biggest money out of the political process and bring some control to the independent expenditures that have come to dominate our elections. It is a good first step to fix a problem that has no simple solution.

I had worked in the last session of Congress with a bipartisan coalition of freshman members of Congress to craft our own campaign finance reform bill. That bill is a substitute bill being considered today. I will not support that bill this year because it is more narrow in focus, although it still gets at the most common abuses in the campaign system without a constitutional threat. Since Shays-Meehan passed the last session of Congress, and because it is more comprehensive, I will continue my support for it.

Both the Shays-Meehan substitute and the Hutchinson substitute are honest, bipartisan attempts to fix our broken election process. I believe that this House works best when we work in a bipartisan manner, and that is how both these bills were created. However, because only one bill can advance today, given the current rules of debate, that bill should be Shays-Meehan.

Ultimately this debate boils down to the belief that there is too much money in campaigns. If you support that idea, as I do and most constituents I talk to in western Wisconsin do, then you support campaign finance reform. If you believe that we need more money in the system then you will oppose Shays-Meehan.

The majority of the public doesn't believe that Congress has the courage to change a system that appears to benefit our own interests. Today we have the opportunity to show the public that we can take the big money out of this system and put elections back into the hands of the people we are sworn to represent. It's time to reduce the cynicism in our political process and increase the credibility of this democratic institution. Support the Shays-Meehan campaign reform bill.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. DOOLITTLE).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. DOOLITTLE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 117, noes 306, not voting 10, as follows:

[Roll No. 419]

AYES—117

Army	Cooksey	Hobson
Ballenger	Cox	Hoekstra
Barr	Crane	Hostettler
Barton	Cubin	Hunter
Bateman	Cunningham	Jenkins
Biggert	DeLay	Johnson, Sam
Bilirakis	Dickey	Jones (NC)
Bliley	Doolittle	Kasich
Blunt	Dreier	King (NY)
Boehner	Dunn	Knollenberg
Bonilla	Ehrlich	Kolbe
Brady (TX)	Everett	Largent
Bryant	Fossella	Latham
Burr	Fowler	Lewis (KY)
Burton	Gekas	Linder
Buyer	Gibbons	Lucas (OK)
Callahan	Goodlatte	McCrery
Calvert	Goss	McInnis
Camp	Gutknecht	McIntosh
Cannon	Hall (TX)	McKeon
Chambliss	Hansen	Miller (FL)
Chenoweth	Hastings (WA)	Miller, Gary
Coble	Hayes	Nethercutt
Coburn	Hayworth	Norwood
Collins	Hefley	Oxley
Combust	Herger	Packard

Paul
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Riley
Rogan
Rogers
Rohrabacher
Ryun (KS)
Salmon

Scarborough
Schaffer
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skeen
Smith (TX)
Spence
Stump
Sununu
Sweeney

NOES—306

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Billbray
Bishop
Blagojevich
Blumenauer
Boehler
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing

Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hill (MT)
Hillery
Hilliard
Hinche
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourrette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther

Tancredo
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Toomey
Traficant
Watkins
Weldon (FL)
Whitfield
Wicker
Young (AK)

Sensenbrenner
Serrano
Shays
Sherman
Sherwood
Shows
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland

Stupak
Talent
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Vitter

Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wilson
Wise
Wolf
Woolsey
Wu
Wynn

Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott

NOT VOTING—10

Hastings (FL)
Kingston
Lewis (CA)
Martinez

Pryce (OH)
Ros-Lehtinen
Shaw
Slaughter

Visclosky
Young (FL)

□ 2104

Mr. GRAHAM changed his vote from "aye" to "no."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SLAUGHTER. Mr. Chairman, on rollcall No. 419, I was unavoidably detained on official business. Had I been present, I would have voted "no."

The CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 106-311.

AMENDMENT NO. 12 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. HUTCHINSON

Mr. HUTCHINSON. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 12 in the nature of a substitute offered by Mr. HUTCHINSON:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Campaign Integrity Act of 1999".

TITLE I—SOFT MONEY AND CONTRIBUTIONS AND EXPENDITURES OF POLITICAL PARTIES

SEC. 101. BAN ON SOFT MONEY OF NATIONAL POLITICAL PARTIES AND CANDIDATES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

"BAN ON USE OF SOFT MONEY BY NATIONAL POLITICAL PARTIES AND CANDIDATES

"SEC. 323. (a) NATIONAL PARTIES.—A national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees, may not solicit, receive, or direct any contributions, donations, or transfers of funds, or spend any funds, which are not subject to the limitations, prohibitions, and reporting requirements of this Act. This subsection shall apply to any entity that is established, financed, maintained, or controlled (directly or indirectly) by, or acting on behalf of, a national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees.

“(b) CANDIDATES.—

“(1) IN GENERAL.—No candidate for Federal office, individual holding Federal office, or any agent of such candidate or officeholder may solicit, receive, or direct—

“(A) any funds in connection with any Federal election unless such funds are subject to the limitations, prohibitions and reporting requirements of this Act;

“(B) any funds that are to be expended in connection with any election for other than a Federal office unless such funds are not in excess of the amounts permitted with respect to contributions to Federal candidates and political committees under section 315(a)(1) and (2), and are not from sources prohibited from making contributions by this Act with respect to elections for Federal office; or

“(C) any funds on behalf of any person which are not subject to the limitations, prohibitions, and reporting requirements of this Act if such funds are for the purpose of financing any activity on behalf of a candidate for election for Federal office or any communication which refers to a clearly identified candidate for election for Federal office.

“(2) EXCEPTION FOR CERTAIN ACTIVITIES.—Paragraph (1) shall not apply to—

“(A) the solicitation or receipt of funds by an individual who is a candidate for a non-Federal office if such activity is permitted under State law for such individual's non-Federal campaign committee; or

“(B) the attendance by an individual who holds Federal office or is a candidate for election for Federal office at a fundraising event for a State or local committee of a political party of the State which the individual represents or seeks to represent as a Federal officeholder, if the event is held in such State.

“(c) PROHIBITING TRANSFERS OF NON-FEDERAL FUNDS BETWEEN STATE PARTIES.—A State committee of a political party may not transfer any funds to a State committee of a political party of another State unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

“(d) APPLICABILITY TO FUNDS FROM ALL SOURCES.—This section shall apply with respect to funds of any individual, corporation, labor organization, or other person.”

SEC. 102. INCREASE IN AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS TO POLITICAL PARTIES.

(a) IN GENERAL.—The first sentence of section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking “in any calendar year” and inserting the following: “to political committees of political parties, or contributions aggregating more than \$25,000 to any other persons, in any calendar year”.

(b) CONFORMING AMENDMENT.—Section 315(a)(1)(B) of such Act (2 U.S.C. 441a(a)(1)(B)) is amended by striking “\$20,000” and inserting “\$25,000”.

SEC. 103. REPEAL OF LIMITATIONS ON AMOUNT OF COORDINATED EXPENDITURES BY POLITICAL PARTIES.

(a) IN GENERAL.—Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended by striking paragraphs (2) and (3).

(b) CONFORMING AMENDMENTS.—Section 315(d)(1) of such Act (2 U.S.C. 441a(d)(1)) is amended—

(1) by striking “(d)(1)” and inserting “(d)”; and

(2) by striking “, subject to the limitations contained in paragraphs (2) and (3) of this subsection”.

SEC. 104. INCREASE IN LIMIT ON CONTRIBUTIONS BY MULTICANDIDATE POLITICAL COMMITTEES TO NATIONAL POLITICAL PARTIES.

Section 315(a)(2)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)(B)) is amended by striking “\$15,000” and inserting “\$20,000”.

TITLE II—INDEXING CONTRIBUTION LIMITS

SEC. 201. INDEXING CONTRIBUTION LIMITS.

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended by adding at the end the following new paragraph:

“(3)(A) The amount of each limitation established under subsection (a) shall be adjusted as follows:

“(i) For calendar year 2001, each such amount shall be equal to the amount described in such subsection, increased (in a compounded manner) by the percentage increase in the price index (as defined in subsection (c)(2)) for each of the years 1999 through 2000.

“(ii) For calendar year 2005 and each fourth subsequent year, each such amount shall be equal to the amount for the fourth previous year (as adjusted under this subparagraph), increased (in a compounded manner) by the percentage increase in the price index for each of the four previous years.

“(B) In the case of any amount adjusted under this subparagraph which is not a multiple of \$100, the amount shall be rounded to the nearest multiple of \$100.”

TITLE III—EXPANDING DISCLOSURE OF CAMPAIGN FINANCE INFORMATION

SEC. 301. DISCLOSURE OF CERTAIN COMMUNICATIONS.

(a) IN GENERAL.—Any person who expends an aggregate amount of funds during a calendar year in excess of \$25,000 for communications described in subsection (b) relating to a single candidate for election for Federal office (or an aggregate amount of funds during a calendar year in excess of \$100,000 for all such communications relating to all such candidates) shall file a report describing the amount expended for such communications, together with the person's address and phone number (or, if appropriate, the address and phone number of the person's principal officer).

(b) COMMUNICATIONS DESCRIBED.—A communication described in this subsection is any communication which is broadcast to the general public through radio or television and which mentions or includes (by name, representation, or likeness) any candidate for election for Senator or for Representative in (or Delegate or Resident Commissioner to) the Congress, other than any communication which would be described in clause (i), (iii), or (v) of section 301(9)(B) of the Federal Election Campaign Act of 1971 if the payment were an expenditure under such section.

(c) DEADLINE FOR FILING.—A person shall file a report required under subsection (a) not later than 7 days after the person first expends the applicable amount of funds described in such subsection, except that in the case of a person who first expends such an amount within 10 days of an election, the report shall be filed not later than 24 hours after the person first expends such amount. For purposes of the previous sentence, the term “election” shall have the meaning given such term in section 301(1) of the Federal Election Campaign Act of 1971.

(d) PLACE OF SUBMISSION.—Reports required under subsection (a) shall be submitted—

(1) to the Clerk of the House of Representatives, in the case of a communication involving a candidate for election for Representa-

tive in (or Delegate or Resident Commissioner to) the Congress; and

(2) to the Secretary of the Senate, in the case of a communication involving a candidate for election for Senator.

(e) PENALTIES.—Whoever knowingly fails to—

(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) comply with any other provision of this section,

shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than \$50,000, depending on the extent and gravity of the violation.

SEC. 302. REQUIRING MONTHLY FILING OF REPORTS.

(a) PRINCIPAL CAMPAIGN COMMITTEES.—Section 304(a)(2)(A)(iii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(2)(A)(iii)) is amended to read as follows:

“(iii) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (i), a post-general election report shall be filed in accordance with clause (ii), and a year end report shall be filed no later than January 31 of the following calendar year.”

(b) OTHER POLITICAL COMMITTEES.—Section 304(a)(4) of such Act (2 U.S.C. 434(a)(4)) is amended to read as follows:

“(4)(A) In a calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate shall file—

“(i) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (ii), a post-general election report shall be filed in accordance with clause (iii), and a year end report shall be filed no later than January 31 of the following calendar year;

“(ii) a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; and

“(iii) a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election.

“(B) In any other calendar year, all political committees other than authorized committees of a candidate shall file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year.”

(c) CONFORMING AMENDMENTS.—(1) Section 304(a) of such Act (2 U.S.C. 434(a)) is amended by striking paragraph (8).

(2) Section 309(b) of such Act (2 U.S.C. 437g(b)) is amended by striking “for the calendar quarter” and inserting “for the month”.

SEC. 303. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS.

(a) IN GENERAL.—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: “, except that the Commission shall require the reports to be filed and preserved by such means, format, or method, unless the aggregate amount of contributions or expenditures (as the case may be) reported by the committee in all reports filed with respect to the election involved (taking into account the period covered by the report) is less than \$50,000.”.

(b) PROVIDING STANDARDIZED SOFTWARE PACKAGE.—Section 304(a)(11) of such Act (2 U.S.C. 434(a)(11)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

“(C) The Commission shall make available without charge a standardized package of software to enable persons filing reports by electronic means to meet the requirements of this paragraph.”.

SEC. 304. WAIVER OF “BEST EFFORTS” EXCEPTION FOR INFORMATION ON OCCUPATION OF INDIVIDUAL CONTRIBUTORS.

Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking “(i) When the treasurer” and inserting “(i)(1) Except as provided in paragraph (2), when the treasurer”; and

(2) by adding at the end the following new paragraph:

“(2) Paragraph (1) shall not apply with respect to information regarding the occupation or the name of the employer of any individual who makes a contribution or contributions aggregating more than \$200 during a calendar year (as required to be provided under subsection (c)(3)).”.

TITLE IV—EFFECTIVE DATE**SEC. 401. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall apply with respect to elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Arkansas (Mr. HUTCHINSON) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. DAVIS of Florida. Mr. Chairman, I rise to ask to control the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 20 minutes.

Mr. DAVIS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut (Mr. SHAYS) be allowed to control 7 minutes of my time, and the gentleman from Massachusetts (Mr. MEEHAN) be allowed to control an additional 7 minutes of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HUTCHINSON. Mr. Chairman, I yield myself such time as I may consume.

I want to extend to my colleagues, Mr. Chairman, congratulations on the manner in which this debate is being conducted. I see people engaged in this debate who are extremely passionate

about their views, about their philosophy. I believe there is a great deal of sincerity in this Chamber, and there are a lot of different viewpoints that are expressed. I believe my colleagues on both sides of the aisle have engaged in this debate in a good-faith fashion, caring about this issue.

We have been here before. We look back in the last Congress, and we all engaged in this debate. Some of us look around and say, it is not as exciting this time. There is some truth to that, because some of us have looked ahead and we sort of anticipate as to where this is going.

I want to call this Chamber back to a moment of seriousness and reflection on the importance of what we are doing. Looking back to when I first came to Congress, I came with some of the most exciting group of freshmen that I have ever been associated with. It was during those early days when we were meeting as a freshman class, the Democrats and Republicans, and we said, what can we work together on?

I look over to my good friend, the gentleman from Florida (Mr. DAVIS), and we all said, there are some things we can do. We looked at campaign finance reform. The Democrats said, let us get six Democrats, let us get six Republican freshmen together, and let us go to work as a task force and see what good we can do. It has been the most exciting and rewarding endeavor that I have been engaged in.

I look back on that with great fondness, because we heard from the constitutional experts, we heard from people who are affected by it, the candidates, the political leaders. We said, we have got to do some things that have not been done before. The problem in this Congress is that we have always looked to the extremes. We have always gone directions in which we could not go to the common ground, and nothing passed. Let us do something different.

So we adopted a couple of principles. One of them is that we should avoid the extremes when we deal with this issue. Secondly, we should be realistic, what can really get passed; not what is ideal, what is perfect, not what we can do, but what we can do together, and to be realistic? The third principle is, let us follow the Constitution.

So taking those three simple principles, we drafted a bill. It is not something that the gentleman from Florida (Mr. DAVIS) wanted, it is not something I wanted, it is not something my good friend, the gentleman from Maine (Mr. ALLEN) wanted. It is something that we wanted together, because we wanted it to pass and become a reality.

So we came up with a simple bill, and simple bills are always dangerous. When we presented this, immediately we were greeted with, well, you all just got here and you do not understand how this system works. That will never work. Both the Democrat leadership and the Republican leadership were concerned about it. The Senate was

concerned about it, because they saw our bill as something that was unique, that had never been tried before, that was common ground, something that could actually pass.

So we adopted a simple bill. There are three key elements to this substitute that is being considered today. One is stopping the soft money game. It bans the soft money to the Federal parties. Secondly, it strengthens the role of the individuals and the parties by indexing the contribution limits to inflation, so we empower individuals more, and we make their contribution more meaningful in the political process.

Thirdly, we increase information to the public, so they will know more information more timely about who contributes to the political process. Three key elements: It meets the constitutional standard, it is realistic, it avoids the extremes.

This year we came back for it. Some of my Democrat colleagues, who I still appreciate the way they engaged in this enterprise with us, but they said that they would prefer the Shays-Meehan. In my judgment, they just simply drifted back a little bit to what was the extreme, that which has been tried before and which could not pass before.

I admire them for their commitment to that philosophy, but the fact is, we are still here, we are still debating the same subject, and we still have the same needs to be realistic, to avoid the extremes, and to be constitutional.

So as I met with the gentleman from Missouri (Mr. HULSHOF), the gentleman from Montana (Mr. HILL), the gentleman from Texas (Mr. BRADY), the gentleman from Kansas (Mr. MORAN). We said, what shall we introduce this year? We all looked at it and said, we cannot get a better product. We worked at it, and we cannot get a better product. We said, we can tinker with it here, we can make it something more to our liking. We said, no, we cannot get a better product.

We introduced this year the exact same bill that my freshmen colleagues on the Democrat side supported in the last Congress. So here we are again, and we are presenting it. We are asking for the Members' support for this substitute. We believe it is a good reform, constitutional, and realistic.

Mr. Chairman, I reserve the balance of my time.

Mr. MEEHAN. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. PASCRELL), one of the outstanding leaders of the freshman class of the last Congress.

Mr. PASCRELL. Mr. Chairman, as a freshman lawmaker in the 105th Congress, I joined a bipartisan coalition of fellow freshmen in crafting legislation that would reform our fatally flawed campaign finance system. I am proud to say that we were able to bridge the partisan gap that too often pervades our debate over legitimate public policy. We crafted a bill that Members on both sides of the aisle could support.

Our freshmen task force, remember what it was called, literally drove the debate when it seemed dead, and later joined the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) to defeat a number of poison pill amendments that would have killed any chance of comprehensive reform.

My friends, the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Virginia (Mr. ALLEN), were effective voices during the debate last year. The bill our coalition supported is and was a good bill. It drove the debate.

As I voted against my own bill last year, I plan to vote against the Hutchinson substitute today, not because it is not an improvement over our current system, but because we are offered an opportunity for what I believe is a better bill, a bill that would not be voted on this evening if it were not for the courage of both the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Maine (Mr. ALLEN), and those who believe in productive change.

Mr. Chairman, we must again pass Shays-Meehan and send a message to the American people that a bipartisan coalition in this body shares the same view of 90 percent of Americans. Ninety percent of Americans believe in this view. Our current campaign finance system needs real reform. It is time to stop making money the deciding factor in American politics and to restore power to where it belongs, with the American voter.

We have all of us here helped to disenfranchise the average voter, making him or her feel helpless to have an impact on the American governmental system.

□ 2115

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN) who has been extraordinarily instrumental in pushing this bill forward in support of campaign finance reform.

Mr. MORAN of Kansas. Mr. Chairman, I just finished hosting 66 town hall meetings across the 66 counties of the First District of Kansas during the August recess; and my constituents, like the rest of the country, feel alienated from government and from politics.

The conventional wisdom that the ordinary citizen no longer has a say in our government is growing and that their voices are drowned out by a sea of special interests and campaign contributors is prevalent. Unfortunately, their concerns are often justified.

I rise this evening in support of the Campaign Integrity Act and want to thank the gentleman from Arkansas (Mr. HUTCHINSON) for his hard work in bringing this legislation before this session of Congress. Ever since we were elected in 1996, the gentleman from Arkansas (Mr. HUTCHINSON) has worked to achieve a bipartisan solution to im-

prove our campaign finance laws. I support this legislation because it represents real reform, it is constitutional, and it is our best chance in passing legislation this year to help restore public faith in our system of campaigns and elections.

By banning so-called soft money at the Federal level this bill closes the biggest loophole in our current finance system. Soft money contributions effectively shred the contribution limits in our current campaign finance law. As long as we allow special interests to contribute millions from soft money outside the regulated campaign finance system, the public will remain skeptical about the integrity of our system.

This legislation also improves the disclosure requirements for candidates running for federal office. It would provide more detailed information regarding the origin of campaign contributions and the time in which they need to be reported. It also calls for electronic disclosure to allow voters more timely access to campaign information.

Finally, this bill improves disclosure requirements for third party groups and lobbying organizations which run television and radio advertisements. Unlike other campaign reform proposals, this bill does not seek to restrict or regulate free speech of outside groups. It only seeks to inform the public about who is running the ads. Organizations that stand by their messages and by their missions have nothing to fear from this legislation.

As students return to the classroom this fall in high schools and colleges across the country, they will be taught the virtues of political democracy. Those students cannot help but be skeptical of a system that is perceived and perhaps in reality is driven by dollars rather than people. They need to know that their voice matters. They need to know that this still is their government. This legislation provides a common-sense evenhanded approach to help restore the faith in our American political process.

Mr. Chairman, I urge the adoption of the Hutchinson substitute.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa (Mr. GANSKE).

(Mr. GANSKE asked and was given permission to revise and extend his remarks.)

Mr. GANSKE. Mr. Chairman, I stand in admiration of the gentleman from Kansas (Mr. MORAN), who just spoke, for doing 66 town hall meetings. I think he deserves the iron man award. But I must disagree with him.

I rise in support of truth in advertising, in support of Shays-Meehan and in opposition to this amendment in the nature of a substitute. This substitute does not address a fundamental problem, and that is sham issue ads.

The Hutchinson substitute requires disclosure of expenditures that exceed \$25,000 per candidate or \$100,000 per multiple candidates. The Shays-Mee-

han bill strengthens the definition of express advocacy to include any communication that contains unambiguous and unmistakable support for or opposition to a clearly identified Federal candidate and requires disclosure of the expenditure that exceeds \$1,000 within 20 days of election or those aggregating \$10,000 at any time leading up to 20 days before the election.

I fully support organizations to make their positions known and to report on the voting record of elected officials, but I do not support organizations that hide behind this right to advocate the election or defeat of particular candidates.

Shays-Meehan does not take away the rights of organizations to express their views. It does require them, when advocating the election or defeat of a specific candidate, to play by the same rules as official campaigns. The Hutchinson substitute does not do this.

I urge my colleagues to vote against the substitute and for real campaign finance reform. Vote "no" on the Hutchinson substitute and vote "yes" for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN).

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Chairman, let me thank the gentleman from Florida (Mr. DAVIS) for yielding me this time.

Mr. Chairman, I have listened to the debate. I have listened to each of my colleagues address the various amendments and now the substitutes. I think there is broad consensus that we need to reform our current campaign finance system.

Let me just give my colleagues my short list of the problems. We spend too much time raising money. We spend too much money in campaigns. We spend too much unreported money in campaigns. There are too many loopholes in the system. It is corrupting the system, and we are losing more and more public confidence that our system is truly objective.

Now, each one of us could craft what we think is the perfect bill. Each one of us could develop what we think would be the answer. But if we are going to be able to accomplish campaign finance reform, I agree with the author of this substitute.

We need to support the campaign finance reform that has the only chance of being enacted this year and that is the Shays-Meehan bill. This is the bill that the public understands and supports. I believe each of us understands that if we had any chance to pass campaign finance reform this year, we need to support the Shays-Meehan bill. It is a comprehensive bill that deals with the under-regulated soft money. Each of us understands why we need to deal with that.

In a letter written to our Speaker just recently by business leaders, they

indicated that soft money distorts the process. It is more than doubling every 2 years the amount of money being spent on soft money. We need to do something about it. It is out of control. We need to close the loophole on so-called issue advocacy expenditures. We know that is wrong. We need to improve the Federal disclosure laws.

So if my colleagues are for comprehensive campaign finance reform, they really have only one choice, and that choice is to defeat the substitutes and support Shays-Meehan. If we do that, we have our best chance this year of listening to our constituents and doing something about the system to make it work for public confidence.

Mr. HUTCHINSON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Montana (Mr. HILL) who has been an extraordinary leader in this effort, but most important, he has been a former State party chairman and has a great deal of expertise.

Mr. HILL of Montana. Mr. Chairman, I thank the gentleman from Arkansas for yielding me this time.

Mr. Chairman, the American people do not believe that Congress can reform the campaign finance laws. The reason they believe that is that they believe that politicians will not reform a system that they depend upon for their survival. I am fearful tonight that we are going to confirm that belief.

In the past, reforms or so-called reforms have acted to protect incumbents to keep them getting reelected. That has worked. Ninety percent of incumbents get reelected to this body. One of the reasons for that is that challengers cannot raise the resources they need to challenge the incumbents.

Everyone knows the basic rule we learn around here when we come to orientation, and that is we go out and we raise enough money to keep a challenger out of our race. And it works. Many people do not have a challenger.

There are parts of the Shays-Meehan bill that I support energetically, enthusiastically: the ban on soft money going to our national parties, for example. There are parts that I have concerns about: the limits on the speech of outside groups that will surely, in my judgment, be struck down by the court.

But the part that I object most to is the fact that it is an incumbent protection plan, and here is why: By banning the soft money to parties, it makes the parties dependent on hard money. Hard money is limited individual contributions, and those are limited in total, how much a person can give in total to all parties and all candidates in a year.

So it puts the parties in competition with their own candidates. It is even now going to put parties in competition with outside groups who want to express their views.

The result is that parties are going to get that money, and incumbents are going to get that money, and probably those outside groups are going to get that money. But who is going to get

left out? Challengers are going to get left out. Incumbents already have huge advantages in frank mail and media attention and fund-raising, and Shays-Meehan adds to those advantages.

Now, in my view, Shays will virtually guarantee the reelection of incumbents. That is why I call it an incumbent protection act. There is another choice, and that is the Hutchinson substitute tonight.

If my colleagues support, as I do, a ban on soft money, support the Hutchinson substitute. If my colleagues support, as I do, protecting free speech, then they would want to support the Hutchinson substitute. If my colleagues believe, as I do, that if we really wanted to reform campaigns, we need to promote competitive campaigns, the only choice is the Hutchinson substitute.

It solves those problems, and it does it this way: It creates a separate limit for parties and a separate limit for candidates. So there is no competition between candidates and their parties. It bans soft money. It deals with issue ads by saying, if they are truly issue ads, then they have to be managed like issue ads, and that is to report it as a lobbying activity which appropriately it is.

Now, there is another reason to support this substitute as well, and that is because it could actually become law. The Senate has repeatedly rejected the Shays-Meehan bill. If my colleagues really believe in reform and if they want common sense reform, and they want it actually to become law, then this is the way to make that happen.

If my colleagues vote no on the Hutchinson substitute, they are going to confirm the suspicions of the American people that my colleagues do not really believe in campaign reform.

My colleagues have an opportunity tonight to vote for real reform. I urge my colleagues to support the Campaign Integrity Act, the Hutchinson substitute.

Mr. HUTCHINSON. Mr. Chairman, may I inquire as to the balance of my time.

The CHAIRMAN. The gentleman from Arkansas (Mr. HUTCHINSON) has 9 minutes remaining. The gentleman from Florida (Mr. DAVIS) has 4 minutes remaining. The gentleman from Connecticut (Mr. SHAYS) has 5½ minutes remaining. The gentleman from Massachusetts (Mr. MEEHAN) has 4½ minutes remaining.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Chairman, I thank the gentleman from Connecticut for yielding me this time.

Mr. Chairman, let me begin by saying that the Hutchinson bill is a noble effort by the author and his cosponsors. As far as I am concerned, on the substance, the Hutchinson bill passes all the right tests. It passes all the tests of good policy. Every component of the Hutchinson bill is good legislation.

Unfortunately, it fails the one most crucial test, and that is its ability to garner a bipartisan large overwhelming passing number in this House. In fact, in the last session, the Hutchinson bill received 147 votes, 105 votes fewer than the Shays-Meehan bill. The HUTCHINSON bill was only able to garner 26 Democrats to support it.

This is the most partisan place on earth, and everything we do is constantly geared to one party gaining advantage over the other, and there is nothing wrong with that. The two-party system works.

But campaign finance reform is like nuclear disarmament. Even if we can find within ourselves the nobility to put our own personal interests aside and not protecting incumbencies, we have to achieve campaign finance reform in a way that lets both sides across the aisle look each other in the eye and say "This does not give my party advantage over yours. This does not give your party advantage over mine. And that is the only way that we will ever succeed in this effort."

Only Shays-Meehan meets that test. Unfortunately, sadly, the work of the gentleman from Arkansas (Mr. HUTCHINSON), as good as it is, does not meet that test. For that reason, I urge Shays-Meehan support.

□ 2130

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, this has been a very constructive debate, and I appreciate the various ideas that my colleagues have offered. But the American people are asking us to do our job tonight, finally, once and for all.

Seventy-eight percent of them are believing that the current set of laws that control congressional campaign funding need reform. Eighty-five percent believe that campaign finance reform is necessary to reduce the influence of special interests. Seventy-four percent believe that they have nothing to do with political life, it is only the big interests.

So I think because we have struck a bipartisan collaborative effort in the Shays-Meehan legislation on campaign finance reform, let us do our job tonight.

The Shays-Meehan legislation specifically makes it very clear when we see ads on television that they are unambiguous, they are unmistakably for or against an opponent. They do not confuse them. They know who they do not want to vote for because it says what this is about.

In the shadow of this, the beginning of the election of 2000, when presidential campaigns are raising a whopping \$50 million before federal campaign funds are matching, the American people want us tonight, Mr. Chairman, to do something.

Vote for the Shays-Meehan, real campaign finance reform.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have listened to the debate, and I am impressed with all of the words that I hear. But I am concerned about the Hutchinson substitute because it does gut some of the reforms of Shays-Meehan.

First, it indexes individual contribution limits, allowing them to automatically increase over time. Increasing individual contribution limits tells the American public that we think federal offices are for sale. Raising contribution limits marginalizes the participation of the poorest Americans and even minorities.

If we raise the limits, we are telling the American people and the American public that the richer we are, the better we are and we have to be rich to be heard.

This substitute really is a vote in favor of continuing to let money run our political system. A vote for the Hutchinson substitute tells the world that federal offices really are for sale. And most glaringly, the Hutchinson substitute tells America that to be protected they must be rich, it will cost them.

So I would ask that everyone support the Shays-Meehan and vote against the Hutchinson.

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BRADY), who has really been a team player, who has been very outspoken on the issue of campaign finance reform.

Mr. BRADY of Texas. Mr. Chairman, the American dream is unique to our Nation. It means that no matter where we were born or of what means, if we work hard enough, if we want it bad enough, we can be anything, anything we want to be in this life, including a Member of Congress.

These days I am not so sure that American dream is going to be around for our young people. Today the average cost of winning an open seat in Congress is just about a million dollars. It is a million dollars, and it is doubling every 4 years.

That means a lots of good people in my community and a lot of good people in years to come are not going to be able to raise their hands to run for Congress because they do not have a million dollars; they do not even know where they would find it.

Well, it is not that perhaps the very wealthy cannot make good decisions. The point is, in a representative democracy like ours, I do not want to wake up some day and see that people from all walks of life cannot serve in this great body. I am convinced they can.

The Hutchinson bill takes a big step in restoring us to a citizen Congress from all walks of life. It is balanced. It does not give an edge to either political party, and it is constitutionally sound.

Today let me make a prediction. Shays-Meehan will pass this House and Shays-Meehan will die yet another death in the Senate, as it did last year.

Now, for some that is not a problem, but for me it is. I am convinced the reason people do not raise campaign finance in the polls as often is that they have given up hope it will actually do something. And every year it fails, every year it fails to pass into law, we discourage more people.

So my message is to the Senate, after Shays-Meehan dies, as it inevitably will, if they are serious about real reform that is constitutionally very sound, can actually become the law of the land, take a look at Hutchinson.

We are a little like the girl next door. When we get tired of chasing the prom queen and we are looking for real substance, the Hutchinson reform bill is here. It closes the soft money loophole. It preserves free speech and returns us to a citizen Congress. And more importantly, Hutchinson offers hope for those Americans who have lost hope that Congress will do the right thing to restore a citizen Congress to make it harder for incumbents to push us back in our districts to listen to our people. Hutchinson offers hope.

Mr. SHAYS. Mr. Chairman, I yield myself 2 minutes to refute, especially since my wife is in the gallery, that I am chasing the prom queen.

First off let me say that whenever the gentleman from Arkansas (Mr. HUTCHINSON) is involved in starting the flow of the debate, it always starts in a tone that to me is what makes me proud to be in this chamber, Republicans and Democrats talking about what we agree and disagree on. I just appreciate what he and his fellow freshmen have done. They have had an important role in helping us.

They could have an even more important role instead of giving the Senate an excuse to vote against campaign finance reform if their amendment fails, their substitute, that they then vote for our bill to enable it to have more support in the House and more impact in the Senate.

The bottom line is that we have two loopholes in our campaign law. One is soft money, the unlimited sums contributed by individuals, corporations, labor unions, and other interest groups. The gentleman from Arkansas (Mr. HUTCHINSON) and his colleagues deal with part of that. They ban soft money on the federal level. But they do not ban soft money on the State level for federal elections, and that will still allow corporations and labor unions to provide unlimited sums through corporate treasury money and union dues money. We shut that off.

The other thing they do not deal with are the sham issue ads. We do not outlaw them. We just simply call them

what they are, campaign ads. Something interesting happens when we call them a campaign ad. We cannot use corporate money, and we cannot use union dues money. So we really believe that we need to deal with those issues.

We did not reach for the stars. This is not public funding. We did not reach for the stars. This is not half-price radio and TV. This is a middle-ground bill. And I really believe we can pass it in the Senate.

But even if we pass it in the Senate, do my colleagues really believe the Senate is going to vote for any bill exactly the way we send it to them? They are going to vote for their bill.

So I encourage my colleagues to vote against the Hutchinson bill and send this bill to the Senate.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. HOLT).

(Mr. HOLT asked and was given permission to revise and extend his remarks.)

Mr. HOLT. Mr. Chairman, I rise in opposition to the Hutchinson substitute.

The first legislative act I took when I came to Congress in January was to cosponsor the Shays-Meehan bill. I did that because I believe that there is a crisis of confidence among voters in our political process. They know it is broken.

If we are ever going to restore the full trust of the American people in their Government, we must reform the campaign finance system. The trust is vital if we are ever going to meet challenges like guaranteeing Social Security, improving our schools, increasing access to health care.

The public will not accept any solutions crafted here if they believe the solutions exist just for the special interests.

The Shays-Meehan bill would bar soft money; it would expose deceptive ads for what they really are, campaign ads. It would require new disclosure rules. These are partial, but essential, reforms.

By contrast, the Hutchinson substitute would simply redirect these funds to State political parties and allow the parties to continue to raise unlimited soft money. With double-existing hard money amounts, it is not reform; it is a step backwards.

Pass the Shays-Meehan bill, not a substitute.

Mr. HUTCHINSON. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri (Mr. HULSHOF) who is the president of the freshmen class that initiated campaign finance reform and has done an outstanding job.

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. Mr. Chairman, I thank the gentleman for yielding me the time.

To my good friend from Connecticut and to the gentleman from Massachusetts, we have been laboring today

under the old adage that "If at first you don't succeed, try, try again." Yet, those of us who support the Hutchinson substitute, we believe we are engaged in an exercise of futility.

The definition of "insanity" is taking exactly the same action and expecting a different result. The fact is that the Shays-Meehan bill is not going to pass in the Senate. The stage is set. The lights are up. The actors are ready. And they have handed us the same script. And guess what? The ending is the same.

Now, I want to respond to two consistent themes that have been heard throughout the day. I heard one colleague that suggested that in order to accomplish reform we are going to have to navigate a mine field of poison pills, as if every legitimate substitute not named "Shays-Meehan" somehow deserved a scarlet letter.

Well, Mr. Chairman, there are some of us who are really sincere reformers who choose not to kneel at the altar of every bill that has been anointed by some in this House or some in the Beltway. I think that the refusal to budge or compromise on the underlying bill has poisoned the well of campaign reform.

The gentleman from Pennsylvania spoke earlier about the bipartisan majority in the last debate. Yes, there were 250 new votes. I was one of them. I reluctantly supported Shays-Meehan last time because it was the only train leaving the station.

Quite frankly, if we were honest with ourselves in this body, I would think that we would agree that there were probably some jail-house converts last time who knew they were going to get a free vote on reform because the bill was going to fail in the Senate.

Regarding the merits of the Hutchinson alternative, it does ban soft money at the federal level. It prohibits States from transferring soft money. First, it allows States to decide for themselves and their own State legislatures whether or not to ban soft money at the State level for party building or get-out-the-vote efforts. But there is a firewall that is built between the State campaigns and the federal campaigns. Some have declared this some sort of a loophole. I respectfully disagree.

In Missouri, if they run for State-wide office, they can accept business contributions or corporate donations; and yet that money cannot be transferred to a federal candidate running for office. In the same way, the Hutchinson bill sets up an impenetrable firewall. And so we ban soft money at the federal level.

To the gentlewoman who spoke earlier about indexing the caps for inflation, if we ban some money at the federal level, I believe we have to index and raise the amount of money available in hard dollars.

I submit, Mr. Chairman, it is easy for newspaper editors or broadcast journalists across this country to wrap their arms around an extreme type of cam-

paign reform because to them speech is free. And yet, if we want to refute or rebut a poisonous editorial, it costs us precious campaign dollars.

Without indexing limits for inflation, two things happen: either wealthy candidates will fund their own extravagant campaigns for office, or incumbents get the benefits of the present campaign zone. Because, as the gentleman from Montana pointed out, we have the ability to have name recognition or we have the ability of franked mail and the advantages of the incumbency.

For those of us who first ran unsuccessfully for Congress as a challenger, we need to keep the playing field level for challengers and incumbents alike. I think the Hutchinson bill is the best effort regarding that alternative.

□ 2145

Finally, I believe it is time that we send a new piece of legislation to the Senate. This act takes a realistic and practical approach to reforming our Nation's campaign laws. I urge its support.

Mr. Chairman, I rise today in support of H.R. 1867, The Campaign Integrity Act of 1999, introduced by my colleague Representative HUTCHINSON. It is important to remember this legislation is the product of a bipartisan group of newly-elected Members last Congress. Through hearings and testimony, this legislation is a compromise approach to reforming our federal campaign finance structure. This core group of reformers stand before this chamber with an important alternative to the Shays-Meehan legislation.

In discussions with many of my colleagues and after reading the bills handicaps in several news articles, one item stands as a striking difference with this years debate on campaign finance reform. This debate lacks the drama presented by last year's discussion. The radical and rarely used tool of the discharge petition has been rendered ineffective and the outcome of this debate on campaign finance reform seems all too certain. With the lights dimmed and the pre-debate rhetoric toned down, the House plans to run the same play with the confidence of the American people hanging in the balance.

During last year's debate I challenged my colleagues to support the "freshmen bill" because it cut a swath down the middle of the campaign finance reform debate. Members could receive the same accolades from editorial boards across the country and their constituents for banning soft money, improving disclosure, and dealing with issue advertisements without harming the Constitution's provision for free speech. These three key elements continue to be the mantle of most campaign finance reform supporters.

However, it is incumbent upon us today to determine how these fundamental provisions of reform can make their way past the Senate and to the President's desk. Passing campaign finance reform measures out of the House, which we know will fall upon the same fate as it did last Congress in the Senate, does very little toward reforming the current inadequacies of how federal campaigns are financed. Mr. Chairman, we risk permanent damage to the faith of our individual constituents who feel their voices go unrecognized in

the current political process. Passing Shays-Meehan and voting down the incremental but substantive strategy the Hutchinson bill provides will do little more than feed the flames of cynicism that Congress will never enact legislation to address the shortcomings of funding federal campaigns.

My fellow colleagues, it is interesting that on the day we consider campaign finance reform that we are in the thick of the annual appropriations process. I know that when I consider my vote on any one of the 13 appropriations' bills I begin by asking myself if I can support the compromise reached in the legislation before the House. Are there provisions within the bill that I find objectionable enough to withhold my support of the overall legislation? No one gets everything they would like in each appropriations bill and the appropriations process clearly becomes a work of compromise. I ask my colleagues to use this same strategy in this campaign finance reform debate. Put aside your pride of ownership so that we may get substantive campaign finance reform that can pass the Senate and become law. Congress has been sold a bill of goods that there is only one way you can be for reform of the current financing systems supporters of the underlying bill have placed the scarlet letter of a "poison pill" on every other alternative. The only thing being poisoned is the well of effective campaign finance reform that is the end result of passing the Shays-Meehan bill and making it increasingly unlikely that Congress will enact meaningful reform. Adopting a strategy that simply tries the same thing twice is something Congress rarely does because it often doesn't work. I hope every constituent and newspaper editors ask the question; "Who are the real reformers?" when we continue to try a failed strategy. A martyr's death does nothing to help restore confidence in our political system.

It's time to send a new piece of legislation to the United States Senate. The Campaign Integrity Act takes a realistic and practical approach to reforming our country's campaign finance laws. By taking a step in the right direction the House can pass legislation that both focuses on reforming the most egregious campaign finance abuses, while standing the best chance of passing the Senate and being signed into law by the President. Let's restore the faith of the American people and pass legislation that moves towards meaningful campaign finance reform. I urge support of the Campaign Integrity Act of 1999.

Mr. MEEHAN. Mr. Chairman, I yield 90 seconds to the gentleman from Washington (Mr. INSLEE), a leader in campaign finance reform.

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Chairman, I rise in favor of Shays-Meehan and against the substitute. In doing so, I would like to make a freshman observation. The observation I would like to make is that those of us in this Chamber have a unique opportunity in the world tonight. I say in the world tonight, because while there are other legislators elected by their constituents in other places in the world, some even older than our democracy, like Iceland, none

of them represent the Taj Mahal of democracy which is the American democratic system. And so when we act tonight to try to refine our system, let me suggest that we must act with assertion, we must act in a stalwart manner, and we have got to act aggressively.

Right now, the substitute acts with benign neglect of the biggest virus on the body politic in our country right now, which are bogus issue ads, bogus issue ads, which both parties and all special interests are taking out a political hammer and trying to beat their opponent over the head with it and seeking immunity in doing so by saying, "It wasn't a hammer, it was only a blunt instrument."

The damage to the health of democracy is the same whether we call them hammers or blunt instruments. We have got to make sure we address issue advocacy. The substitute has an abject failure to do so. Shays-Meehan recognizes that the special interests have found a giant loophole. They are taking those hammers and they are walking through. We have got to shut that down.

We have got the Taj Mahal of democracy. We have got real democracy. Let us have real reform and end issue ads.

The CHAIRMAN. The Chair would advise that the gentleman from Arkansas (Mr. HUTCHINSON) has 2½ minutes remaining, the gentleman from Connecticut (Mr. SHAYS) has 2 minutes, the gentleman from Massachusetts (Mr. MEEHAN) has 2 minutes, and the gentleman from Florida (Mr. DAVIS) has 2 minutes.

Mr. HUTCHINSON. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS), a member of the committee, has the right to close.

Mr. SHAYS. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, how many times did the civil rights bill come up on the floor of this Chamber? Do we not owe a debt to those who in the face of having been defeated kept trying? How many times did the Brady bill come up, and those of us who were concerned about handgun violence kept bringing it up, and finally it did pass. To be told that we cannot try Shays-Meehan one more time after one failure is a rebuke to the previous experience of those two particular examples, and hundreds of others.

We are told that the Shays-Meehan bill does not admit amendments or compromise. That is not true. Twenty-three amendments were passed last year and of those, 20 were incorporated in the bill this year. This bill has borne the benefit of the compromise process.

Why is it important to try? Because as the gentleman from Washington (Mr. INSLEE) who just spoke pointed out, there is a critical part of Shays-Meehan that is not in the Hutchinson bill. It deals with the sham ads. Why

not try? Then if the bill gets over to the Senate and it turns out they do not like that provision, they can work their will over there. A motion can be made to strike the sham issue ads provision, and then we will go to conference and the result will be much like just the Hutchinson bill, in other words, a bill that just bans soft money. But if we do not try, we will never get there. We will never get the chance to ban sham issue ads.

How serious are sham issue ads? Oh, they are serious. Think about it just for a minute. If you run a campaign ad saying, "Vote for me," you can only use donations that are \$1,000 maximum. But if instead your party says, you're a splendid candidate, a great individual and deserve to be in Congress, they can use any amount of money, unregulated, because they did not say, "Vote for me."

We have seen this at the Presidential level. An actual ad from the last Presidential campaign points out, "Medicare slashed . . . then Dole resigns, leaving behind gridlock he and Gingrich created." That was with soft money. Here is the one with hard money: "The President stands firm. A balanced budget protects Medicare; disabled children; no again. Now Dole resigns, leaves the gridlock he and Gingrich created." They are the same thing.

Let us try to close that loophole.

How about the soft money loophole? It also is closed in the Shays-Meehan, but not in Hutchinson.

Mr. MEEHAN. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Mr. DAVIS of Florida. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

The CHAIRMAN. The gentlewoman from Ohio is recognized for 1 minute.

Ms. KAPTUR. Mr. Chairman, there is a simple reason for voting against the Hutchinson substitute. A vote for it destroys the first and only bipartisan piece of campaign finance reform ever to be passed in this Chamber. It destroys the only bill that will close the soft money loophole. Should this bill pass, it will pull the rug out from under Shays-Meehan. We cannot let that happen. The Hutchinson substitute does not stop soft money from influencing our Federal elections. It only does half the job. While this amendment calls for a ban on Federal soft money, it does not stop State parties from spending soft money on Federal elections.

That is like bolting the front door to protect yourself from burglars while hanging a neon sign on the back door that says, "Come on in." It is a shell game. You are only moving the soft money from the Federal parties to the State parties.

The American people deserve better. The substitute leaves in place the current loophole through which unlimited dollars are funneled into Federal elections through sham issue ads as well.

Please vote against the Hutchinson substitute. America must do better. Vote against the substitute.

Mr. HUTCHINSON. Mr. Chairman, I yield myself the balance of my time.

Again I want to thank my colleagues for their gracious spirit and the way they engaged in this debate, but I want to come back to some of the things that have been said. First of all I appreciate the kudos, that this is a noble effort, a great job. We need votes in this, votes that will change the dynamics in this body. I appreciate the compliments.

The gentleman from California (Mr. CAMPBELL) is an extraordinary legal scholar, but he wants to challenge the Supreme Court, and he has got guts there, but I do not think when you are dealing with campaign finance reform, you ought to go right in the face of the Supreme Court. I think they make these decisions for a reason, and it is the loophole of the sham ads that you talk about, that loophole is called the first amendment. I think it is something to be cherished, something that is to be regarded, something that should not be discarded lightly. So I have problems with that approach, that we are just going to go up to the Supreme Court, we are going to cost citizens millions of dollars and we are not going to worry about it and hope they change their mind. I think that is the wrong approach.

The gentlewoman from Ohio just talked about that this is not a bipartisan bill. I would remind my colleagues that this is inherently bipartisan. It is inherently bipartisan because my friends worked together with this. Now, they switched gears on us. In fact in the last vote there were 60 Democrats that voted "present." I would urge my friends to reconsider that vote and vote positive for this, the bill that you supported.

If you look at where we are right now, this bill is going to go to the Senate. I hope we have a great vote. I hope we win. I hope people change their mind, but I am realistic. Shays-Meehan will most likely pass. It is going to go to the Senate for the third time. The first time it could not get the votes. The second time it could not get the votes. What will happen this time? I have talked to some of you privately, you say, "We know it doesn't have the votes in the Senate," but we are going to send it over there for the third time.

I want to look to the future in a positive sense. I hope that the Senate will take some of these ideas and forge a bill that will pass. But what happens if they reject Shays-Meehan the third time? Next spring, are we going to give up? Are we going to tell the American voters, "We can't do it"? Please, I plead with my colleagues, when it comes back next year, let us reconsider our position, let us be flexible, let us work together and get something, what we originally said we were going to do, which is common ground, common ground that we can send over there and be passed. Then we can look back on

this Congress and say, We did something. We worked together. We accomplished something. It passed, for the first time in 25 years.

Do you believe in your heart Shays-Meehan will be the one to do that? I urge support for the Hutchinson substitute.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we enact campaign finance reform once in a generation. The last time we enacted meaningful, comprehensive campaign finance reform was in the post-Watergate era. For a while that system worked pretty well. But over a period of the last 20 to 25 years, loopholes have developed in the law, loopholes being that incredible amounts of soft money, over and above the legal limits, are being spent to influence elections in our country. An incredible amount, millions of dollars in sham issue ads are being spent to influence elections in our country. So we now have a unique opportunity to pass comprehensive campaign finance reform. We have to make sure that when we pass this bill, we do not pass a bill that already has loopholes in it.

The Hutchinson amendment fails to close the soft money loophole because it enables the insurance companies and the tobacco companies and all of these special interests to circumvent the Federal parties and influence Federal campaigns by going to the States. Many of these States do not even have disclosure requirements of this money. It is too big of a loophole. It does not do anything about reining in sham issue ads. It is too big of a loophole. We have to deal with both of these problems. That is why we have to pass this bill.

Finally, a majority of the Members of the Senate have supported this legislation. The only reason it has not passed is we have not gotten the 60 votes over there to break a filibuster. We are going to be able to do it because eventually the public will win this argument. Vote for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 1½ minutes.

Mr. DAVIS of Florida. Mr. Chairman, the Hutchinson bill on balance is a good bill. I want to commend the gentleman from Arkansas (Mr. HUTCHINSON), the gentleman from Missouri (Mr. HULSHOF), the gentleman from Maine (Mr. ALLEN) and all of us who worked very hard to put it together. It was the best we could do under some very rough circumstances, over opposition from Democrats and Republicans here. But I disagree with the gentleman from Arkansas (Mr. HUTCHINSON) when he says we cannot do better. We have to do better. Look how far we have come just in the last year.

Last year, we as freshmen had to fight like dogs just to get the bill heard on the floor of the House. We encountered numerous forms of subterfuge

just to be heard on the merits. Tonight we have been much more successful in having an open and honest debate on campaign finance reform. We have had some very strong votes here tonight, Democrats and Republicans. We are making progress. We are starting to make it clear that we have found a way to close two of the most gaping loopholes in the system.

Shays-Meehan has been to the Senate only once, not twice. It will go over there again tonight. Last year 52 Senators, Democrats and Republicans, voted in favor of the McCain-Feingold companion to our bill. Can they do better? They have to do better. Our system of democracy depends upon it.

Let us not sell ourselves short tonight. Let us instead be ambitious. Let us pass the strongest campaign finance reform bill that we can. Let us send it to the Senate. We will negotiate and try to produce something that is meaningful to close two of these most gaping loopholes, because the money continues to pour in at record rates. We have got to do something and we can help put the Senate in the right direction. I would urge defeat of the Hutchinson amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Arkansas (Mr. HUTCHINSON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HILL of Montana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 99, noes 327, not voting 7, as follows:

[Roll No. 420]

AYES—99

Aderholt	Gibbons	Pickering	Gillmor	Miller, Gary
Archer	Goode	Radanovich	Gilman	Miller, George
Bachus	Goodlatte	Riley	Gonzalez	Minge
Baker	Goss	Rohrabacher	Goodling	Mink
Ballenger	Granger	Royce	Gordon	Moakley
Barcia	Green (WI)	Ryan (WI)	Graham	Mollohan
Barton	Gutknecht	Salmon	Green (TX)	Moore
Bateman	Hall (TX)	Scarborough	Greenwood	Moran (VA)
Blunt	Hansen	Scott	Hall (OH)	Morella
Bono	Hill (MT)	Sensenbrenner	Hastings (WA)	Murtha
Brady (TX)	Hobson	Shimkus	Hayes	Nadler
Burr	Hoekstra	Shuster	Hayworth	Napolitano
Burton	Hulshof	Smith (NJ)	Hefley	Neal
Buyer	Hutchinson	Spence	Herger	Nethercutt
Callahan	Jenkins	Stearns	Hill (IN)	Northup
Chabot	John	Stump	Hilleary	Norwood
Coble	Jones (NC)	Sununu	Hilliard	Oberstar
Coburn	Kolbe	Sweeney	Hinchee	Obey
Collins	LaHood	Talent	Hinojosa	Olver
Combust	Largent	Tauzin	Hoeffel	Ortiz
Cook	Linder	Taylor (NC)	Holden	Ose
Cunningham	McCollum	Thomas	Holt	Owens
Davis (VA)	McCrery	Thornberry	Hoolley	Packard
Diaz-Balart	McKeon	Thune	Horn	Pallone
Dickey	Miller (FL)	Vitter	Hostettler	Pascarell
Duncan	Moran (KS)	Walden	Houghton	Pastor
Ehlers	Myrick	Watkins	Hoyer	Payne
Emerson	Ney	Weldon (FL)	Hunter	Pease
English	Nussle	Whitfield	Hyde	Pelosi
Everett	Oxley	Wicker	Inslee	Phelps
Ewing	Paul	Wilson	Isakson	Pickett
Fowler	Peterson (MN)	Wolf	Istook	Pitts
Gekas	Petri	Young (AK)	Jackson (IL)	Pombo
			Jackson-Lee	Pomeroy
			(TX)	Porter
			Jefferson	Portman
			Johnson (CT)	Price (NC)
			Johnson, E. B.	Quinn
			Johnson, Sam	Rahall
			Jones (OH)	Ramstad
			Kanjorski	Rangel
			Kaptur	Regula
			Kasich	Reyes
			Kelly	Reynolds
			Kennedy	Rivers
			Kildee	Rodriguez
			Kilpatrick	Roemer
			Kind (WI)	Rogan
			King (NY)	Rogers
			Cox	Rothman
			Coyne	Roukema
			Cramer	Roybal-Allard
			Crane	Rush
			Crowley	Ryun (KS)
			Cubin	Sabo
			Cummings	Sanchez
			Danner	Sanders
			Davis (FL)	Sandlin
			Davis (IL)	Sanford
			Deal	Sawyer
			DeFazio	Saxton
			DeGette	Schaffer
			Delahunt	Schakowsky
			DeLauro	Serrano
			DeLay	Sessions
			DeMint	Shadegg
			Deutsch	Shays
			Dicks	Sherman
			Dingell	Sherwood
			Dixon	Shows
			Doggett	Simpson
			Dooley	Sisisky
			Doolittle	Skeen
			Doyle	Skelton
			Dreier	Slaughter
			Dunn	Smith (MI)
			Edwards	Smith (TX)
			Ehrlich	Smith (WA)
			Engel	Snyder
			Eshoo	Souder
			Etheridge	Spratt
			Evans	Stabenow
			Farr	Stark
			Fattah	Stenholm
			Filner	Strickland
			Fletcher	Stupak
			Foley	Tancredo
			Forbes	Tanner
			Ford	Tauscher
			Fossella	Taylor (MS)
			Frank (MA)	Terry
			Franks (NJ)	Thompson (CA)
			Frelinghuysen	Thompson (MS)
			Frost	Thurman
			Gallegly	Tiahrt
			Ganske	Tierney
			Gejdenson	Toomey
			Gephardt	Towns
			Gilchrest	Trafficant
				McDonald

NOES—327

Abercrombie
Ackerman
Allen

Andrews
Arney
Baird

Baldacci
Baldwin
Barr

Turner	Wamp	Wexler
Udall (CO)	Waters	Weygand
Udall (NM)	Watt (NC)	Wise
Upton	Watts (OK)	Woolsey
Velazquez	Waxman	Wu
Vento	Weiner	Wynn
Visclosky	Weldon (PA)	Young (FL)
Walsh	Weller	

NOT VOTING—7

Gutierrez	Peterson (PA)	Shaw
Hastings (FL)	Pryce (OH)	
Kingston	Ros-Lehtinen	

□ 2219

Mr. WELDON of Pennsylvania changed his vote from "aye" to "no."

Mr. ROHRBACHER changed his vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 13 printed in House Report 106-311.

AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THOMAS

Mr. THOMAS. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 13 in the nature of a substitute offered by Mr. THOMAS:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Campaign Reform and Election Integrity Act of 1999".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References in act.

TITLE I—BAN ON FOREIGN CONTRIBUTIONS

Sec. 101. Extension of ban on foreign contributions to all campaign-related disbursements; protecting equal participation of eligible voters.

TITLE II—IMPROVING REPORTING OF INFORMATION

Sec. 201. Mandatory electronic filing for certain reports; expediting reporting of information.

Sec. 202. Reporting of secondary payments; expansion of other types of information reported.

Sec. 203. Disclosure requirements for certain soft money expenditures of political parties.

TITLE III—STRENGTHENING ENFORCEMENT AND ADMINISTRATION OF FEDERAL ELECTION COMMISSION

Sec. 301. Standards for initiation of actions and written responses by Federal Election Commission.

Sec. 302. Banning acceptance of cash contributions greater than \$100.

Sec. 303. Deposit of certain contributions and donations to be returned to donors in Treasury account.

Sec. 304. Alternative procedures for imposition of penalties for reporting violations.

Sec. 305. Abolition of ex officio membership of Clerk of House of Representatives and Secretary of Senate on Commission.

Sec. 306. Broader prohibition against force and reprisals.

Sec. 307. Signature authority of members of Commission for subpoenas and notification of intent to seek additional information.

TITLE IV—SIMPLIFYING AND CLARIFYING FEDERAL ELECTION LAW

Sec. 401. Application of aggregate contribution limit on calendar year basis during non-election years.

Sec. 402. Treatment of lines of credit obtained by candidates as commercially reasonable loans.

Sec. 403. Repeal Secretary of Commerce reports on district-specific population.

Sec. 404. Technical correction regarding treatment of honoraria.

TITLE V—EFFECTIVE DATE

Sec. 501. Effective date.

SEC. 2. REFERENCES IN ACT.

Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Federal Election Campaign Act of 1971.

TITLE I—BAN ON FOREIGN CONTRIBUTIONS

SEC. 101. EXTENSION OF BAN ON FOREIGN CONTRIBUTIONS TO ALL CAMPAIGN-RELATED DISBURSEMENTS; PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS.

(a) **PROHIBITION ON DISBURSEMENTS BY FOREIGN NATIONALS.**—Section 319 (2 U.S.C. 441e) is amended—

(1) in the heading, by striking "contributions" and inserting "donations and other disbursements";

(2) in subsection (a), by striking "contribution" each place it appears and inserting "donation or other disbursement"; and

(3) in subsection (a), by striking the semicolon and inserting the following: "; including any donation or other disbursement to a political committee of a political party and any donation or other disbursement for an independent expenditure;";

(b) **CODIFICATION OF REGULATIONS PROHIBITING USE OF FOREIGN FUNDS BY MULTICANDIDATE POLITICAL COMMITTEES; PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS.**—Section 319 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (d); and

(2) by inserting after subsection (a) the following new subsections:

"(b) It shall be unlawful for any person organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States to make any donation or other disbursement to any candidate for political office in connection with an election for any political office, or to make any donation or other disbursement to any political committee or to any organization or account created or controlled by any United States political party, unless such donation or disbursement is derived solely from funds generated from such person's own business activities in the United States.

"(c) Nothing in this Act may be construed to prohibit any individual eligible to vote in an election for Federal office from making contributions or expenditures in support of a candidate for such an election (including voluntary contributions or expenditures made through a separate segregated fund established by the individual's employer or labor organization) or otherwise participating in any campaign for such an election in the

same manner and to the same extent as any other individual eligible to vote in an election for such office."

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to contributions, donations, and other disbursements made on or after the date of the enactment of this Act.

TITLE II—IMPROVING REPORTING OF INFORMATION

SEC. 201. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS; EXPEDITING REPORTING OF INFORMATION.

(a) **REQUIRING ELECTRONIC FILING WITHIN 24 HOURS OF CERTAIN CONTRIBUTIONS AND INDEPENDENT EXPENDITURES MADE WITHIN 90 DAYS OF ELECTION.**—

(1) **IN GENERAL.**—Section 304(a) (2 U.S.C. 434(a)) is amended by adding at the end the following new paragraph:

"(12)(A) Notwithstanding any other provision of this Act, each political committee described in subparagraph (B)(i) that receives a contribution in an amount equal to or greater than \$200, and any person described in subparagraph (B)(ii) who makes an independent expenditure, during the period which begins on the 90th day before an election and ends at the time the polls close for such election shall, with respect to any information required to be filed with the Commission under this section with respect to such contribution or independent expenditure, file and preserve the information using electronic mail, the Internet, or such other method of instantaneous transmission as the Commission may permit, and shall file the information within 24 hours after the receipt of the contribution or the making of the independent expenditure.

"(B) For purposes of subparagraph (A)—

"(i) a political committee described in this clause is a political committee that has received an aggregate amount of contributions equal to or greater than \$50,000 with respect to the election cycle involved; and

"(ii) a person described in this clause is a person who makes an aggregate amount of independent expenditures during the election cycle involved or during any of the 2 previous 2-year general election cycles in an amount equal to or greater than \$10,000.

"(C) The Commission shall make the information filed under this paragraph available on the Internet immediately upon receipt."

(2) **INTERNET DEFINED.**—Section 301(19) (2 U.S.C. 431(19)) is amended to read as follows:

"(19) The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks."

(b) **REQUIRING REPORTS OF CERTAIN FILERS TO BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF PRIVATE SECTOR SOFTWARE.**—Section 304(a)(11)(A) (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: "; except that in the case of a report submitted by a person who reports an aggregate amount of contributions or expenditures (as the case may be) in all reports filed with respect to the election cycle involved (taking into account the period covered by the report) in an amount equal to or greater than \$50,000, the Commission shall require the report to be filed and preserved by electronic mail, the Internet, or such other method of instantaneous transmission as the Commission may permit. The Commission shall certify (on an ongoing basis) private sector computer software which may be used for filing reports by such methods."

(c) **REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE WITHIN 20 DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE WITHIN 24 HOURS.**—Section 304(a)(6)(A) (2 U.S.C. 434(a)(6)(A)) is amended—

(1) by striking "after the 20th day, but more than 48 hours before any election" and inserting "during the period which begins on the 20th day before an election and ends at the time the polls close for such election"; and

(2) by striking "48 hours" the second place it appears and inserting the following: "24 hours (or, if earlier, by midnight of the day on which the contribution is deposited)".

(d) **REQUIRING ACTUAL RECEIPT OF CERTAIN INDEPENDENT EXPENDITURE REPORTS WITHIN 24 HOURS.**—

(1) **IN GENERAL.**—Section 304(c)(2) (2 U.S.C. 434(c)(2)) is amended in the matter following subparagraph (C)—

(A) by striking "shall be reported" and inserting "shall be filed"; and

(B) by adding at the end the following new sentence: "Notwithstanding subsection (a)(5), the time at which the statement under this subsection is received by the Secretary, the Commission, or any other recipient to whom the notification is required to be sent shall be considered the time of filing of the statement with the recipient.".

(2) **CONFORMING AMENDMENT.**—Section 304(a)(5) (2 U.S.C. 434(a)(5)) is amended by striking "or (4)(A)(ii)" and inserting "or (4)(A)(ii), or the second sentence of subsection (c)(2)".

(e) **CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.**—

(1) **IN GENERAL.**—Section 304(b) (2 U.S.C. 434(b)) is amended—

(A) by inserting "(or election cycle, in the case of an authorized committee of a candidate for Federal office)" after "calendar year" each place it appears in paragraphs (2), (3), (4), and (7); and

(B) in paragraph (6)(A), by striking "calendar year" and inserting "election cycle".

(2) **ELECTION CYCLE DEFINED.**—Section 301 (2 U.S.C. 431) is amended by adding at the end the following:

"(20) **ELECTION CYCLE.**—Except as the Commission may otherwise provide, the term 'election cycle' means, with respect to an election, the period beginning on the day after the date of the most recent general election for the office involved and ending on the date of the election.".

(f) **CLARIFICATION OF PERMISSIBLE USE OF FACSIMILE MACHINES AND ELECTRONIC MAIL TO FILE REPORTS.**—Section 304(a)(11)(A) (2 U.S.C. 434(a)(11)(A)) is amended by striking "method," and inserting the following: "method (including by facsimile device or electronic mail in the case of any report required to be filed within 24 hours after the transaction reported has occurred)."

SEC. 202. REPORTING OF SECONDARY PAYMENTS; EXPANSION OF OTHER TYPES OF INFORMATION REPORTED.

(a) **REQUIRING RECORD KEEPING AND REPORT OF SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.**—

(1) **REPORTING.**—Section 304(b)(5)(A) (2 U.S.C. 434(b)(5)(A)) is amended by striking the semicolon at the end and inserting the following: ", and, if such person in turn makes expenditures which aggregate \$5,000 or more in an election cycle to other persons (not including employees) who provide goods or services to the candidate or the candidate's authorized committees, the name and address of such other persons, together with the date, amount, and purpose of such expenditures;".

(2) **RECORD KEEPING.**—Section 302 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

"(j) A person described in section 304(b)(5)(A) who makes expenditures which aggregate \$5,000 or more in an election cycle to other persons (not including employees) who provide goods or services to a candidate

or a candidate's authorized committees shall provide to a political committee the information necessary to enable the committee to report the information described in such section."

(3) **NO EFFECT ON OTHER REPORTS.**—Nothing in the amendments made by this subsection may be construed to affect the terms of any other recordkeeping or reporting requirements applicable to candidates or political committees under title III of the Federal Election Campaign Act of 1971.

(b) **INCLUDING REPORT ON CUMULATIVE CONTRIBUTIONS AND EXPENDITURES IN POST ELECTION REPORTS.**—Section 304(a)(7) (2 U.S.C. 434(a)(7)) is amended—

(1) by striking "(7)" and inserting "(7)(A)"; and

(2) by adding at the end the following new subparagraph:

"(B) In the case of any report required to be filed by this subsection which is the first report required to be filed after the date of an election, the report shall include a statement of the total contributions received and expenditures made as of the date of the election."

(c) **INCLUDING INFORMATION ON AGGREGATE CONTRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.**—Section 304(b)(3) (2 U.S.C. 434(b)(3)) is amended—

(1) in subparagraph (A), by inserting after "such contribution" the following: "and the total amount of all such contributions made by such person with respect to the election involved"; and

(2) in subparagraph (B), by inserting after "such contribution" the following: "and the total amount of all such contributions made by such committee with respect to the election involved".

SEC. 203. DISCLOSURE REQUIREMENTS FOR CERTAIN SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.

(a) **TRANSFERS OF FUNDS BY NATIONAL POLITICAL PARTIES.**—Section 304(b)(4) (2 U.S.C. 434(b)(4)) is amended—

(1) by striking "and" at the end of subparagraph (H);

(2) by adding "and" at the end of subparagraph (I); and

(3) by adding at the end the following new subparagraph:

"(J) in the case of a political committee of a national political party, all funds transferred to any political committee of a State or local political party, without regard to whether or not the funds are otherwise treated as contributions or expenditures under this title;".

(b) **DISCLOSURE BY STATE AND LOCAL POLITICAL PARTIES OF INFORMATION REPORTED UNDER STATE LAW.**—Section 304 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

"(d) If a political committee of a State or local political party is required under a State or local law, rule, or regulation to submit a report on its disbursements to an entity of the State or local government, the committee shall file a copy of the report with the Commission at the time it submits the report to such an entity."

TITLE III—STRENGTHENING ENFORCEMENT AND ADMINISTRATION OF FEDERAL ELECTION COMMISSION

SEC. 301. STANDARDS FOR INITIATION OF ACTIONS AND WRITTEN RESPONSES BY FEDERAL ELECTION COMMISSION.

(a) **STANDARD FOR INITIATION OF ACTIONS BY FEC.**—Section 309(a)(2) (2 U.S.C. 437g(a)(2)) is amended by striking "it has reason to believe" and all that follows through "of 1954," and inserting the following: "it has a reason to seek additional information regarding a possible violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of

1986 that has occurred or is about to occur (based on the same criteria applicable under this paragraph prior to the enactment of the Campaign Reform and Election Integrity Act of 1999)."

(b) **REQUIRING FEC TO PROVIDE WRITTEN RESPONSES TO QUESTIONS.**—

(1) **IN GENERAL.**—Title III (2 U.S.C. 431 et seq.) is amended by inserting after section 308 the following new section:

"OTHER WRITTEN RESPONSES TO QUESTIONS

"SEC. 308A. (a) **PERMITTING RESPONSES.**—In addition to issuing advisory opinions under section 308, the Commission shall issue written responses pursuant to this section with respect to a written request concerning the application of this Act, chapter 95 or chapter 96 of the Internal Revenue Code of 1986, a rule or regulation prescribed by the Commission, or an advisory opinion issued by the Commission under section 308, with respect to a specific transaction or activity by the person, if the Commission finds the application of the Act, chapter, rule, regulation, or advisory opinion to the transaction or activity to be clear and unambiguous.

"(b) **PROCEDURE FOR RESPONSE.**—

"(1) **ANALYSIS BY STAFF.**—The staff of the Commission shall analyze each request submitted under this section. If the staff believes that the standard described in subsection (a) is met with respect to the request, the staff shall circulate a statement to that effect together with a draft response to the request to the members of the Commission.

"(2) **ISSUANCE OF RESPONSE.**—Upon the expiration of the 3-day period beginning on the date the statement and draft response is circulated (excluding weekends or holidays), the Commission shall issue the response, unless during such period any member of the Commission objects to issuing the response.

"(c) **EFFECT OF RESPONSE.**—

"(1) **SAFE HARBOR.**—Notwithstanding any other provisions of law, any person who relies upon any provision or finding of a written response issued under this section and who acts in good faith in accordance with the provisions and findings of such response shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

"(2) **NO RELIANCE BY OTHER PARTIES.**—Any written response issued by the Commission under this section may only be relied upon by the person involved in the specific transaction or activity with respect to which such response is issued, and may not be applied by the Commission with respect to any other person or used by the Commission for enforcement or regulatory purposes.

"(d) **PUBLICATION OF REQUESTS AND RESPONSES.**—The Commission shall make public any request for a written response made, and the responses issued, under this section. In carrying out this subsection, the Commission may not make public the identity of any person submitting a request for a written response unless the person specifically authorizes to Commission to do so.

"(e) **COMPILATION OF INDEX.**—The Commission shall compile, publish, and regularly update a complete and detailed index of the responses issued under this section through which responses may be found on the basis of the subjects included in the responses."

(2) **CONFORMING AMENDMENT.**—Section 307(a)(7) (2 U.S.C. 437d(a)(7)) is amended by striking "of this Act" and inserting "and other written responses under section 308A".

(c) **STANDARD FORM FOR COMPLAINTS; STRONGER DISCLAIMER LANGUAGE.**—

(1) **STANDARD FORM.**—Section 309(a)(1) (2 U.S.C. 437g(a)(1)) is amended by inserting after "shall be notarized," the following:

"shall be in a standard form prescribed by the Commission, shall not include (but may refer to) extraneous materials."

(2) **DISCLAIMER LANGUAGE.**—Section 309(a)(1) (2 U.S.C. 437g(a)(1)) is amended—

(A) by striking "(a)(1)" and inserting "(a)(1)(A)"; and

(B) by adding at the end the following new subparagraph:

"(B) The written notice of a complaint provided by the Commission under subparagraph (A) to a person alleged to have committed a violation referred to in the complaint shall include a cover letter (in a form prescribed by the Commission) and the following statement: 'The enclosed complaint has been filed against you with the Federal Election Commission. The Commission has not verified or given official sanction to the complaint. The Commission will make no decision to pursue the complaint for a period of at least 15 days from your receipt of this complaint. You may, if you wish, submit a written statement to the Commission explaining why the Commission should take no action against you based on this complaint. If the Commission should decide to seek additional information, you will be notified and be given further opportunity to respond.'"

SEC. 302. BANNING ACCEPTANCE OF CASH CONTRIBUTIONS GREATER THAN \$100.

Section 315 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i) No candidate or political committee may accept any contributions of currency of the United States or currency of any foreign country from any person which, in the aggregate, exceed \$100."

SEC. 303. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS IN TREASURY ACCOUNT.

(a) **IN GENERAL.**—Title III (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

"TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

"SEC. 323. (a) **TRANSFER TO COMMISSION.**—

"(1) **IN GENERAL.**—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

"(A) the contribution or donation is in an amount equal to or greater than \$500 (other than a contribution or donation returned within 90 days of receipt by the committee); or

"(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 90 days of receipt by the committee).

"(2) **INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.**—A political committee shall include with any contribution or donation transferred under paragraph (1)—

"(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

"(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

"(3) **ESTABLISHMENT OF ESCROW ACCOUNT.**—

"(A) **IN GENERAL.**—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

"(B) **DISPOSITION OF AMOUNTS RECEIVED.**—On receiving an amount from a political

committee under paragraph (1), the Commission shall—

"(i) deposit the amount in the escrow account established under subparagraph (A); and

"(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

"(C) **USE OF INTEREST.**—Interest earned on amounts in the escrow account established under subparagraph (A) shall be applied or used for the same purposes as the donation or contribution on which it is earned.

"(4) **TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.**—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

"(b) **USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.**—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code, against the person making the contribution or donation.

"(c) **RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.**—

"(1) **IN GENERAL.**—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

"(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) to seek additional information regarding whether or not the contribution or donation was made in violation of this Act; or

"(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

"(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

"(2) **NO EFFECT ON STATUS OF INVESTIGATION.**—The return of a contribution or donation to the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation."

(b) **AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.**—Section 309(a) (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

"(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 323, the amount of the donation involved shall be treated as the amount of the contribution involved."

(c) **DONATION DEFINED.**—Section 323, as added by subsection (a), is amended by adding at the end the following:

"(d) **DONATION DEFINED.**—In this section, the term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in section 301(8))."

(d) **DISGORGEMENT AUTHORITY.**—Section 309 (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

"(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 323."

(e) **EFFECTIVE DATE.**—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 323 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

SEC. 304. ALTERNATIVE PROCEDURES FOR IMPOSITION OF PENALTIES FOR REPORTING VIOLATIONS.

(a) **IN GENERAL.**—Section 309(a)(4) (2 U.S.C. 437g(a)(4)) is amended—

(1) in subparagraph (A)(i), by striking "clause (ii)" and inserting "clauses (ii) and subparagraph (C)"; and

(2) by adding at the end the following new subparagraph:

"(C)(i) Notwithstanding subparagraph (A), in the case of a violation of any requirement under this Act relating to the reporting of receipts or disbursements, the Commission may—

"(I) find that a person committed such a violation on the basis of information obtained pursuant to the procedures described in paragraphs (1) and (2); and

"(II) based on such finding, require the person to pay a civil money penalty in an amount determined under a schedule of penalties which is established and published by the Commission and which takes into account the amount of the violation involved, the existence of previous violations by the person, and such other factors as the Commission considers appropriate (but which in no event exceeds \$20,000).

"(ii) The Commission may not make any determination adverse to a person under clause (i) until the person has been given written notice and an opportunity to be heard before the Commission.

"(iii) Any person against whom an adverse determination is made under this subparagraph may obtain a review of such determination by filing in the United States District Court for the District of Columbia or for the district in which the person resides or transacts business (prior to the expiration of the 30-day period which begins on the date the person receives notification of the determination) a written petition requesting that the determination be modified or set aside."

(b) **CONFORMING AMENDMENT.**—Section 309(a)(6)(A) (2 U.S.C. 437g(a)(6)(A)) is amended by striking "paragraph (4)(A)" and inserting "paragraph (4)".

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to violations occurring on or after January 1, 2001.

SEC. 305. ABOLITION OF EX OFFICIO MEMBERSHIP OF CLERK OF HOUSE OF REPRESENTATIVES AND SECRETARY OF SENATE ON COMMISSION.

Section 306(a) (2 U.S.C. 437c(a)) is amended—

(1) in paragraph (1), by striking "the Secretary of the Senate and the Clerk" and all that follows through "right to vote, and"; and

(2) in paragraphs (3), (4), and (5), by striking "(other than the Secretary of the Senate and the Clerk of the House of Representatives)" each place it appears.

SEC. 306. BROADER PROHIBITION AGAINST FORCE AND REPRISALS.

Section 316(b)(3) (2 U.S.C. 441b(b)(3)) is amended—

(1) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D); and

(2) by inserting before subparagraph (B) (as so redesignated) the following new subparagraph:

“(A) for such a fund to cause another person to make a contribution or expenditure by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal;”.

SEC. 307. SIGNATURE AUTHORITY OF MEMBERS OF COMMISSION FOR SUBPOENAS AND NOTIFICATION OF INTENT TO SEEK ADDITIONAL INFORMATION.

(a) ISSUANCE OF SUBPOENAS.—Section 307(a)(3) (2 U.S.C. 437d(a)(3)) is amended by striking “signed by the chairman or the vice chairman” and inserting “signed by any member of the Commission”.

(b) NOTIFICATIONS OF INTENT TO SEEK ADDITIONAL INFORMATION.—Section 309(a)(2) (2 U.S.C. 437g(a)(2)) is amended by striking “through its chairman or vice chairman” and inserting “through any of its members”.

TITLE IV—SIMPLIFYING AND CLARIFYING FEDERAL ELECTION LAW

SEC. 401. APPLICATION OF AGGREGATE CONTRIBUTION LIMIT ON CALENDAR YEAR BASIS DURING NON-ELECTION YEARS.

Section 315(a)(3) (2 U.S.C. 441a(a)(3)) is amended by striking the second sentence.

SEC. 402. TREATMENT OF LINES OF CREDIT OBTAINED BY CANDIDATES AS COMMERCIALY REASONABLE LOANS.

Section 301(8)(B) (2 U.S.C. 431(8)(B)) is amended—

(1) by striking “and” at the end of clause (xiii);

(2) by striking the period at the end of clause (xiv) and inserting “; and”; and

(3) by adding at the end the following new clause:

“(xv) any loan of money derived from an advance on a candidate’s brokerage account, credit card, home equity line of credit, or other line of credit available to the candidate, if such loan is made in accordance with applicable law and under commercially reasonable terms and if the person making such loan makes loans in the normal course of the person’s business.”.

SEC. 403. REPEAL SECRETARY OF COMMERCE REPORTS ON DISTRICT-SPECIFIC POPULATION.

(a) REPEAL REPORT BY SECRETARY OF COMMERCE ON DISTRICT-SPECIFIC VOTING AGE POPULATION.—Section 315(e) (2 U.S.C. 441a(e)) is amended by striking “States, of each State, and of each congressional district” and inserting “States and of each State”.

(b) DEADLINE FOR REPORTING OF CERTAIN ANNUAL ESTIMATES TO COMMISSION.—

(1) PRICE INDEX.—Section 315(c)(1) (2 U.S.C. 441a(c)(1)) is amended—

(A) by striking “At the beginning” and inserting “Not later than February 15”; and

(B) by striking “as there become available necessary data from the Bureau of Labor Statistics of the Department of Labor.”.

(2) VOTING AGE POPULATION.—Section 315(e) (2 U.S.C. 441a(e)) is amended by striking “During the first week of January 1975, and every subsequent year,” and inserting “Not later than February 15 of 1975 and each subsequent year.”.

SEC. 404. TECHNICAL CORRECTION REGARDING TREATMENT OF HONORARIA.

Section 301(8)(B) (2 U.S.C. 431(8)(B)), as amended by section 402, is further amended—

(1) by adding “and” at the end of clause (xiii);

(2) by striking clause (xiv); and

(3) by redesignating clause (xv) as clause (xiv).

TITLE V—EFFECTIVE DATE

SEC. 501. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply with respect to elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the gentleman from Maryland (Mr. HOYER) framed this debate earlier in the day, I do not think he fully appreciates it but he certainly did, when he said we ought to support the Thomas substitute tomorrow.

We will recall the song, tomorrow, tomorrow, tomorrow is always a day away.

Some of the provisions in my substitute have stretched that day to more than a quarter of a century. Of the more than two dozen provisions in the Thomas substitute, 13 of them have not been addressed since 1976.

Why? The cry has always been for real, for substantive change, change that could become law, let us do it tomorrow.

We are in the middle of this debate in which people who are supporting Shays-Meehan have the latest cracker jack approach. Of course, earlier it was PACs. Before that it was other bogeymen in terms of the system, all of them fundamental threats to the republic, notwithstanding the Supreme Court saying that the First Amendment has to be upheld.

We see another assault on the First Amendment.

What I decided to do, Mr. Chairman, was to examine what the Democrats were offering, what the Republicans were offering, what was obviously in need of change, pull it together and in about two dozen provisions offer change; change that has been needed for more than a quarter of a century in some instances but has never, ever, for some reason, been able to move.

Some of my colleagues might find it ironic, but one of the provisions in my substitute bans foreign soft money in U.S. elections. Another one guarantees the rights of U.S. citizens to contribute to campaigns through Political Action Committees. Whether the PAC is a domestic or a foreign-owned corporation it has to be in the United States. Many of them deal with the current antiquated timing of information. Many of them extend from 1976.

Forty-eight hours in 1976 may have been a relatively long time. Mobile phones were not invented. E-mail was not invented. To a very great extent, the Internet did not exist. There were 200 sites linked through the Advanced Research Project Agency’s net, but it certainly was not the Internet. C-SPAN did not exist; neither did CNN or ESPN.

The world has changed in that quarter century, but one thing has not changed: Federal election law. Why? Because whenever anyone offered reasonable and appropriate change, the plea was always tomorrow.

If anybody in this Chamber wants to make law tonight, they ought to take a look at the Thomas substitute because it is, as it will be described, an amalgam of a bunch of good stuff that should have been passed a long time ago; but it was always the latest issue that got in front of it and the latest issue never made it.

This issue will not make it. Shays-Meehan will not become law. If someone wants to make a political statement, then vote for Shays-Meehan. If they want to make law, if they want to change current law, if they want to shorten 48 hours to 24, if they want to take all those people who currently run their financing of their campaigns on their computers and then, because of our current laws run a contest in the campaign office to find a person with the worst handwriting and have them personally fill out the report so that when it gets to the FEC it has to be translated and then put on the electronic medium, what we say is do it electronically if a campaign raises more than \$50,000.

Everybody is doing it on computers anyway. These are the kind of changes that we ought to make first. Let us get it right, and then we can discuss how we want to change the world.

It just seems to me that at some time after the invention of compact disk players, after the invention of VCRs, after Larry Bird was elected NBA rookie of the year in 1980, some of these provisions ought to be changed. This is the opportunity.

If my colleagues want to make a statement, vote for Shays-Meehan; if they want to make law, vote for the Thomas substitute.

Mr. Chairman, I reserve the balance of my time.

Mr. HOYER. Mr. Chairman, we want to make sense today. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, first I want to applaud the truly bipartisan team so ably lead by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) who have brought us yet again this year to the success that we have seen today on sticking together and doing the right thing.

I want to thank the Speaker of the House for honoring his commitment to allow this legislation to come to the floor with a full and fair debate in September of this year, and we will complete this business in a few moments.

I also want to point out, though, that when my party, the Republican Party, in which I am proud to be an active member, was in the minority here, our

party supported most of these same reforms in the minority. The truth is, any minority party is going to support reform and any majority party is going to oppose reform because it is basically essential, they believe, to preserve the current system for their benefit, and therein lies the problem.

This bill is the best effort in 25 years to make major strides towards cleaning up the current system. The American people expect us to do that.

I believe that this is a decision for the ages that we will make in a few minutes. We do have to beat back the Thomas substitute. It is obviously full of things that need to be done, but it is really not campaign finance reform itself, in and of itself. It is campaign reform. It is corrections. It cleans up the current system, but it does not address soft money and the major issues that affect the system today that need to be addressed. So it should be an amendment and not a substitute.

So we will have to beat it back and then bring this to final passage. The vote, though, again Thomas and then for final passage, is a vote really about putting country above party, and that is difficult because the pressures within one's party are to support the leadership, to support the majority. Clearly, it takes courage, I think, for some of us to step out and say this needs to be done.

Countless former Members of this House and the Senate have come out in support of this. It is amazing how many more people support this when they are no longer here, when they no longer face the pressures of reelection or holding the majority. Then they reflect and say, that really needs to be done. Virtually every President that can speak on this issue has said this needs to be done. They are serving really as the conscience of the American electorate and the leadership of our country by saying, yes, I am no longer standing for reelection. I have been there. I know the influences of money on critical policy decisions that affect our great Nation; and, yes, this needs to be done. So we need to listen closely to them as well.

This bill cuts both ways. I believe it is equally harsh on the Republican Party and the Democratic Party.

The Good Book says, the love of money is the root of all evil.

□ 2230

There are too many influential decisions made by money in this institution. Let us pass Shays-Meehan tonight.

Mr. THOMAS. Mr. Chairman, it is my privilege to yield 3 minutes to the gentleman from Illinois (Mr. EWING), a member of the committee.

(Mr. EWING asked and was given permission to revise and extend his remarks.)

Mr. EWING. Mr. Chairman, I rise in support of the Thomas substitute, and I urge my colleagues to vote for this substitute. The legislation makes a se-

ries of much-needed changes. For instance, there are over 20 provisions in this legislation that will simplify and strengthen laws for FEC reporting and enforcement. In addition, the Thomas substitute places a strict ban on foreign soft money. Finally, one of the problems with the current campaign finance system is not what we know, but what we do not know. This legislation will ensure that more rapid filing requirements, electronic filings, will make it easier for the public to know who is contributing to which federal candidate.

This is why I commend Texas Governor George W. Bush who posted all of his campaign contributors on his Web site for public view. The most important aspect of this debate is information, and we should support legislation that gives us more information, not less.

Once again, it seems that politics will rule the day, though, for supporters of Shays-Meehan, a major portion of the Thomas substitute was taken from the ranking member of the Committee on House Administration, yet politics prevail and he has chosen to oppose the bill with the provisions in it that he himself used to support. It is pretty clear to me that the proponents of this legislation are more concerned about politicizing the issue, rather than actually passing legislation which will improve our current situation.

The Thomas substitute is the only legislation that has a chance to be signed into law. If we do not pass this bill out of this House, that has a chance to be signed into law, the current abuses will go untouched.

I say to my fellow Members that if they really care about going back to their districts and telling their constituents that they supported real campaign finance reform, then support the Thomas substitute. This legislation places a strict ban on foreign soft money contributions to federal candidates. This was the major abuse in the last presidential election, and unless we support this legislation, these abuses can continue.

Mr. Chairman, I urge my colleagues to vote for the Thomas substitute which is the only legislation we will consider here tonight that will be signed into law.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, this amendment is the only obstacle standing between us and passage of the Shays-Meehan bill. Unfortunately, this is not a debate on the merits of this amendment, because the gentleman from Tennessee (Mr. WAMP) and I attempted to offer the substance of this amendment as a separate amendment to Shays-Meehan so that the Members would have an opportunity to vote for this Good Housekeeping measure and for Shays-Meehan, and we were deprived of that opportunity, and so was the body.

This amendment is so innocuous that it comprises mostly recommendations that were unanimously supported by the FEC commissioners. If there is a single Member in this chamber tonight that intends to vote against this amendment, raise their hands. Not a single Member. This is an amendment that should be taken up on the consent calendar that is reserved for technical bills. That is where we should be debating the merits of this. We should not be debating it as a way to submarine Shays-Meehan.

The fight has always been about the right to be heard about the merits of Shays-Meehan on the floor of the House, and we have almost concluded that debate, but let me conclude by citing once again the facts, because the facts speak for themselves. In the 1991/1992 election cycle, \$86 million by both political parties was spent in soft money; in 1996, \$260 million; in 1970 and 1978, \$193 million, more than twice the previous presidential campaign cycle. And in the 2000 election cycle, it is estimated between \$500 million and \$750 million in soft money. These are unlimited contributions that are not being made for good government.

The facts speak for themselves. Let us defeat this amendment, let us pass it on the consent calendar, and let us pass Shays-Meehan.

Mr. THOMAS. Mr. Chairman, I yield myself 1 minute to give an example of the kinds of things that we propose in the Thomas substitute that simply have been overlooked for more than a quarter of a century. When one makes reports, there is no requirement to show secondary payments. In many campaign reports, they simply list their key campaign support committee, \$50,000. We have no idea where that money has been spent, and there is no requirement under federal law to break it down.

What we say we ought to do is to require record keeping and disclosure by political committees in terms of who got the actual payment: the secondary payers, the subcontractors. This is absolutely essential to have an understanding of the flow of money. They say they want to follow the money. They say they want to make sure everyone knows who pays whom. It simply is not done in Shays-Meehan. This is a long overdue change.

It also requires post-election reports to include cumulative information on contributions and expenditures. Those are the kinds of things that will give people a true picture of who contributes and who spends. It is not in theirs; it is in ours.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Thomas substitute to H.R. 417.

This substitute amendment makes meaningful reforms to the current system that are balanced, constitutional and have an actual chance of being

signed into law. The banning of foreign soft money improved enforcement ability of the FEC and increased candidate and party disclosure by means of electronic filing and public Internet posting are all much-needed reforms that both parties agree are necessary.

I urge my colleagues to vote for the Thomas substitute, because although it is limited in scope, it provides a fair and balanced reform to the current system and has the potential to pass the Senate this year and become law. By contrast with the Shays-Meehan placebo, the Thomas substitute would make changes that would not unduly favor one party or one philosophy over another after facing judicial scrutiny. Unlike Shays-Meehan, the Thomas substitute will not add to the overwhelming advantage that incumbents have over challengers.

Shays-Meehan is ultimately an incumbent protection bill. It will reduce competition in congressional elections and further sap the vitality of our political process.

Although proponents of Shays-Meehan claim it is the only reform package that has a chance of being enacted, the reality is that the Senate is likely to block the Shays-Meehan bill much as it did last year when a nearly identical measure was reported out of the House.

Mr. Chairman, I urge my colleagues to send something to the Senate that we have a chance of putting into law this year and deserves to be put into law and deals with real abuses in a very balanced and constitutional way. I urge a vote for the Thomas substitute for all of those who are true supporters of campaign finance reform.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, of this amendment it can be said, seldom have so few worked so hard to do so little. Who could be against the little that this substitute proposes? Only those of us who are committed to doing more, who realize that the modest changes proposed by the Shays-Meehan approach are the minimum necessary to bring any real change to this Congress.

Those intent on blocking reform have carefully crafted the rule governing the procedure for this debate so that the approval of any alternative, even one as meager as that advanced by the gentleman from California (Mr. THOMAS), will serve to nullify real reform. The sole purpose of this substitute is not some newly discovered interest in correcting some minor provisions in the Federal Election Code, but it is to defeat true reform, an objective its author has made clear by his repeated votes against cleaning up this mess.

Without a vote for genuine campaign finance reform tonight, special interests will continue to have a strangle hold on this body. The pharmaceutical companies will decide whether seniors get access to prescription drugs. The tobacco companies will decide whether we do anything about nicotine addic-

tion among our young people. The special interests will continue to write a tax code that is replete with loopholes that burden the rest of the American people.

We need a clean sweep of this campaign finance system, not some modest housekeeping touch-up; not mere toothless tinkering with a clearly very broken system. Reject this amendment and adopt true reform.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 14 minutes remaining; the gentleman from California (Mr. THOMAS) has 9 minutes remaining.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, let me remind the House that oftentimes when people talk about tomorrow, the other day that they refer to is yesterday. And in this particular case, there was a yesterday not too long ago when the substance of the Thomas legislation was offered as an amendment to Shays-Meehan in committee and the majority decided that they did not want to have it be a part of the Shays-Meehan package.

The plain English of where we are tonight is embodied in the rule that the majority created to govern this debate, that is that this is not an amendment to Shays-Meehan, this is a substitute. All too often some are eager to take a substitute over the real McCoy or, in this case, the real Shays-Meehan.

A substitute just will not do, because what we have come to understand even here in this House is that the time has come to reform our campaign finance laws. It is embodied in this bipartisan approach, and the only way that we can get to the Shays-Meehan approach, which a majority of us agree on, is that we have to move the substitutes aside and focus on the real reform that is embodied in the base bill that we will have a chance to vote on once we dispose of the Thomas amendment.

Now, I have a great deal of respect for the chairman of my committee, and I think that the suggestions that are offered are something that all of us can work towards, and that is why I offered it as an amendment to Shays-Meehan. Maybe now, after we dispose of it tonight, we will find another way on another day when we can get to it, but those who want to point at tomorrow as some far off day have to look at their own actions when they had the opportunity to take these suggestions and embody them in the vehicle that this House passed last year and will pass again tonight.

When we want to clean up the creek, we have to get the hogs out of the water first. We, in order to get to Shays-Meehan, have to remove these substitutes out of our way. We have to keep our eyes on the prize. I would ask my colleagues to say no to the Thomas substitute so that we can focus in on real campaign reform.

Mr. THOMAS. Tomorrow, tomorrow.

Mr. Chairman, it is my pleasure to yield 4 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

□ 2245

Mrs. NORTHUP. Mr. Chairman, since I was elected to Congress, I have been so surprised at so much that has gone on in our campaign finance regulation or reform debates. All over we hear people talk about the influence of money. That surprises me. First of all, we all know that it is already illegal to trade campaign promises for money that would come into our campaigns. Even after we are elected, it is illegal to vote because somebody gave us money in the campaign.

I am probably one of the most expensive campaigns year in and year out that are run in this House, \$1.8 million in my last election. I almost cannot cast a vote on the House floor without looking a good number of my supporters in the eye and saying, I am sorry, I do not agree with you on this issue. I cannot support you. I am going to vote against you. They knew I would do that when they supported me. They supported me because they believed that I would know the issue, that we shared a common perspective about public policy, and that I would always do my best.

If I ever got into specifics, there would always be groups on both side of every issue. I find it very comfortable to look people in the eye and say, this is an area where I do not agree with you. So I always have to wonder, people who talk about influence peddling, about being compromised by the contributions that are received, do they have trouble voting their conscience because of the people that give to them? Do they find that they cannot exercise what they really believe is in the best interests of their constituents because they get campaign contributions?

I believe if Members have that problem, that nothing we do on the floor of the House tonight will change that and give these Members a backbone, because the fact is that if the Republican party comes in and does soft money ads for me and I feel that I would be compromised, a human being that would write me a check for \$1,000 would intimidate me even more.

So the fact is that we can shut off all the soft money, we can shut off what my party does. But if we have people on this floor in the vote in the next hour that feel intimidated by campaign contributions, contributions of \$200 of \$500 or of \$1,000 are going to make them shake when they have to vote against the people who gave them that.

So whether or not Members are influenced by money is a matter of their conscience. It is a matter of their backbone. It is a matter of their courage. It is a matter of believing that Members are here always to rise above any one person's best interests and do what is right for this country.

I believe that this bill, the Shays-Meehan bill, would profoundly increase

the corruption of money in politics because right now the majority of campaigns are run with hard money, money that we go from person to person and ask for, money that every voter knows where I got the money from and knows every way I spent it.

We all know why Shays-Meehan refused to tie the constitutionality of soft money from parties and special interest groups, but what we will do is we will have the millions of people that seek to influence elections, care about who is elected, care that somebody that represents their perspective is elected instead of giving it to the parties, they are going to find some independent group.

Next year if China decides that they care about who is elected, if China decides that they care about influencing the election, they will not be able to give it to the Democratic National Committee. Instead, they are going to have to find Mainstream America or some other special interest group that never has to say where one penny comes from, never says where one penny goes, and we will not know that that is who influenced the election.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Delaware (Mr. CASTLE), the former Governor and a Member of the House.

Mr. CASTLE. Mr. Chairman, I thank the gentleman very much for yielding time to me.

I would like to thank other people, including the chairman, the gentleman from Ohio (Mr. HOBSON) for the wonderful job he has done throughout this day and evening in dealing with this legislation.

I would like to thank the Speaker of the House. Some of us may not have liked the rule originally, but without what he did in allowing it to come to the floor, we would not be here.

I would like to congratulate the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), not necessarily because they may pass this bill tonight, and I hope they will, I support the legislation, but because of the manner in which they have prepared for this and handled this debate.

I also thank the gentleman from California (Mr. THOMAS), who I think actually has a good piece of legislation here, although maybe not in the right process in terms of how we should do it; and the gentleman from Arkansas (Mr. HUTCHINSON), obviously, and the gentleman from California (Mr. DOOLITTLE), and everyone else who sponsored the amendments.

Every once in a while there is an enlightening debate. This is one that has been bipartisan. All of us have learned a lot. We have had a chance to listen in on it. For that, I think we should all be thankful.

We really have to know what we are doing here. We have to be very careful. There is nothing in my mind that is objectionable at all in the Thomas sub-

stitute, but it is just that, it is a substitute. It means that it is the end of Shays-Meehan.

We have been voting all night to protect Shays-Meehan, because it is important that we get it passed. We have to remember that when we cast this vote. We could easily go back and pick up the Thomas substitute. We could have done it as an amendment, as a matter of fact, if the Committee on Rules had allowed it, and certainly could do it in the future.

We have heard a lot of different presentations here tonight. I do not know what the influence of money really is, but I do get frankly quite concerned when I read that large corporations and large labor unions and people of various interests with legislation before this body are all of a sudden giving to the parties amounts of money that are in excess of \$100,000, \$200,000, even in some cases \$300,000. It has to make everybody stop and think, they are giving it for some reason. It is not because they are necessarily interested in charity, they are interested in their own bottom line.

I think this body is made up of people of full ethics, people who are good people, but I think we have to make this change. I would encourage each and every one of us to support Shays-Meehan. I think it will pass the Senate and will become the law of this country.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. CROWLEY), president of the freshman class on our side.

Mr. CROWLEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Thomas substitute, as it does not represent real reform. Mr. Chairman, our campaign system is broken and needs urgent reforms and not nip and tuck around-the-edge solutions offered by the honorable chairman, the gentleman from California (Mr. THOMAS).

Although the Thomas substitute contains some important reforms of the Federal Elections Commission, it does nothing to reform our political system, nothing to rein in those deceptive issue ads, nothing to eliminate the old powerful role of soft money in our political campaigns, and nothing to restore the faith of Americans in our political system.

We are here today to debate the campaign finance reform, real campaign finance reform. The Thomas substitute is not campaign finance reform. There was only one bill on the floor this evening which will accomplish these tasks, the Shays-Meehan reform bill.

Reform is demanded by our constituents. Let us vote for real reform today. Oppose the Thomas substitute and support the Shays-Meehan reform bill.

Mr. HOYER. Mr. Chairman, the gentleman from Maryland is very proud to yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), who is back in the Chamber and who has done such an extraordinary job on this piece of legislation through the years.

Mr. MEEHAN. Mr. Chairman, I thank the gentleman for yielding time to me.

It has been a long evening. In fact, it has been a long battle going back over the last few years. We have been able to work, Democrats and Republicans, to form a bipartisan coalition, and I would like to take this opportunity to thank so many of the Members of this House who have made it possible.

I think back to the debate last year, when many of the Members had the Commission bill, and how cooperative they were to join with the sponsors of Shays-Meehan to unite our effort to add the Commission bill to the Shays-Meehan bill.

I think of how critical it was when the Democratic leadership, the gentleman from Missouri (Mr. GEPHARDT), the gentleman from Michigan (Mr. BONIOR), the gentleman from Maryland (Mr. HOYER), and others, joined with this effort and have whipped so effectively the Democratic Members of this House. I want to thank them for their efforts.

I want to thank the gentleman from Connecticut (Mr. SHAYS), the gentleman from Tennessee (Mr. WAMP), the gentlewoman from New Jersey (Mrs. ROUKEMA), and all of the Members of the Republican party who have worked so diligently. I thank all of them, as well.

The hour is late. I think it is clear from the way the votes have been going that the Members of this House are ready to take the extraordinary step to pass bipartisan, bicameral campaign finance reform. As I said earlier, it only happens once in a generation. It is an extremely difficult issue to get Members of both sides of the aisle to work together on, but we have done it.

The gentleman from California (Mr. THOMAS) has a substitute that, frankly, we could pass in a suspension on Monday or Tuesday of next week. It is not real campaign finance reform, but under the rule, if Members vote for this, it will kill our opportunity, our golden opportunity, this evening.

So I think it is clear to the membership that they have to vote no on the Thomas substitute, and if the gentleman from California (Mr. THOMAS) and others are willing, we should take it up at a later date, pass it under a suspension. I am sure it would get 350 to 420 votes.

But now is the time, the hour is late, to pass campaign finance reform. I thank all of the Members who have been involved in this debate. I thank the gentleman from Maryland (Mr. HOYER) for his leadership on the committee. I again thank the Members for their extraordinary effort on this historic vote for real, comprehensive campaign finance reform.

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume.

I would tell the chairman, it is amazing how many people are willing to do something that could become law tomorrow.

Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from

Michigan (Mr. EHLERS) from the committee.

Mr. EHLERS. Mr. Chairman, I thank the gentleman from California, the sponsor of the substitute, for yielding time to me. My only regret is he did such a masterful job of introducing his substitute that he has left very little to say. It is clearly a very good substitute. It is a very good piece of legislation and something we should pass.

Mr. Chairman, let me add just a few comments about that. First of all, let us be pragmatic. As Members have heard a number of Members say, we passed this bill, the Shays-Meehan bill, last year. The Senate did not. We may pass it tonight. The Senate is unlikely to pass it. Let us pass something that will make a difference. Let us be pragmatic and vote for the Thomas substitute, and get something passed that will in fact make a difference.

Furthermore, it is badly needed. I was just chatting with a member of my staff tonight. Less than 10 years ago he was working for a Member of Congress and they were answering all their mail with Selectric typewriters. My comment was, no wonder that Member lost his election. The times passed him by.

The times have passed our current election law by and we have not corrected it. The gentleman from California (Mr. THOMAS) gave a list of all things that should be changed. I was astounded when I was elected to this House and found a totally antiquated computer system, and Speaker Gingrich asked me to work with the gentleman from California (Mr. THOMAS) in updating it.

We have done that. Today all the Members of the House enjoy a marvelous computer system. They are on the Internet, they have websites. Yet, they are not willing to vote for a bill that will make a difference, that will put the FEC online, put all our contributions online immediately, in a direct fashion, and bring the system up to date.

Let us be pragmatic. Let us vote for something that will work. Let us update current election law. Let us vote for the Thomas substitute and get this done.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, the problem with the Thomas substitute is not its wording, it is its motivation. It is a cynical ploy to kill substantive campaign finance reform.

We live in the greatest democracy in the history of western civilization, but it is not a true democracy as long as the wealthiest people and organizations in this country can have undue influence upon the elections and the votes of this body. We need substantive campaign finance reform, and we know it is what the people want. There is only one reason we do not do it, and it is the wrong reason.

□ 2300

Since we began debating campaign finance reform years ago, millions of

people, for example, have died as a result of tobacco smoking. We would not address the targeting of teenage smokers. Why? Not because many Members had tobacco growers in their district. That was not the reason. It is because we have tobacco money in our pockets.

I could give any number of reasons, whether it be health care reform, insurance reform, tort reform, any number of issues. Do what the American people want. Restore a true democracy. Vote for Shays-Meehan and reject the Thomas substitute.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS) who has worked so hard, so diligently, and so effectively on behalf of this legislation.

Mr. SHAYS. Mr. Chairman, when I woke up this morning, I tried to prepare myself for the fact that we might lose. There were seven amendments that would kill us, and there are three substitutes that would replace us.

I thought it is up to each and every one of us just to make our decisions, and we can live with the results. But we are so close. We have to defeat this substitute. It is a good amendment as a perfecting amendment. As a substitute, it kills us. So we have to kill it.

I just would want to say to all of my colleagues that this has been a bipartisan effort, and it has been a tremendous pleasure. I remember working with the gentleman from Maryland (Mr. HOYER) when we tried to pass congressional accountability. It took us 6 years. We did not say after the second year we were going to give up. We did it on a bipartisan basis. I was proud of how we passed it. We got Congress under all of the laws.

We are going to have campaign finance reform. I hope it is in the form we are suggesting, but we are going to see it happen. We are not going to give up on the Senate.

We have got to ban soft money. It is just a perversion that is distorting the whole system. It is allowing corporations and labor unions to give unlimited sums and work their will in a way that should not happen.

We have got to call those sham issue ads what they are, campaign ads, so we have disclosure and not have corporate money and union dues money flowing in.

We need FEC enforcement and disclosure which our bill does, and then we have a commission to look at some of the things that we do not do.

This is a sensible bill. It is not a radical bill. We have only passed it once. I hope we do it again and send it to the Senate. Then we have a year to work on the Senate to try to get them to do the right thing. Fifty-two have already agreed, and hopefully we will get that 60.

Mr. THOMAS. Mr. Chairman, I yield 1¾ minutes to the gentleman from Florida (Mr. MICA), a member of the committee.

Mr. MICA. Mr. Chairman, my favorite book is entitled the Miracle at

Philadelphia. It is a story of the development of this book called the Constitution of the United States. I highly recommend it to my colleagues. It outlines the development of the structure of our government that gives us the ability to debate, to act, this wonderful framework under which this Congress operates.

This week, 212 years ago, our Founding Fathers finished this document. When they finished the structure, the next thing that they did was they immediately passed 10 rights, fundamental rights for the people of this country.

The first right, not the second, third, fourth or tenth, is the freedom of speech. There is only one thing wrong with Shays-Meehan. It shreds the Constitution and that first precious amendment. That is the basic flaw with Shays-Meehan.

So our committee brought together reforms recommended by everyone, by the FEC, and others, things that are doable, things that are within the law, within the Constitution, and within the framework of our government. That is what we presented.

Let me read what the ACLU says about this Thomas substitute:

This substitute is far superior to Shays-Meehan in many respects because of the absence of provisions that offend the constitutional rights and that H.R. 417, Shays-Meehan, contains the harshest and most unconstitutional controls on issue advocacy groups.

Mr. THOMAS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the gentleman from Maryland (Mr. HOYER) congratulated the gentleman from Massachusetts (Mr. MEEHAN). The congratulations should have been listened to carefully. He said he has done a great job through the years. We can continue to do this. We can continue to make wonderful statements. We can continue to come up with a new idea, which is the most recent threat to the republic. It used to be PACs. Now it is soft money. It will be something else in the future. It will always be just beyond the horizon. It will always be an issue. That is fairly clear.

I tell the gentleman from Virginia, I did not offer this substitute for cynical reasons. I offered it in case anybody really wanted to change the law. That is our chance tonight.

The Democrats had a majority in the House, had a majority in the Senate, and had the Presidency from 1992 to 1994. What did they do? They did not change the law.

We have an opportunity tonight in fundamental and real ways to change the election laws of this country. My colleagues can do it by voting for the Thomas substitute. If my colleagues want to make a political statement, as we have done year after year after year, I am sure the gentleman from Massachusetts (Mr. MEEHAN) will take those congratulations of his efforts over the years. I would much rather

change the law. We can do it tonight. Vote "yes" on the Thomas substitute.

Mr. HOYER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, so we come to this hour. There will be a subsequent vote on final passage of Shays-Meehan, but this is the critical vote. This vote will determine whether years of hard work and commitment will be realized through the effective passage of legislation to reform campaign finance.

Yes, there is another day for the Thomas substitute. It is a non-controversial piece of legislation. But it is not campaign finance reform, although it has some aspects of that. It is, in fact, reform of the process of the FEC. That process needs reforming. I would even ask perhaps for unanimous consent that we place this on the consent calendar tomorrow. I will not do that, but I suggest that it could happen.

Now, at this late hour, before day's end, before the clock strikes 12, we can pass meaningful campaign finance reform. But in order to do that, we must reject the Thomas legislation, which, as the gentleman from Florida (Mr. DAVIS) clearly posited, was a device to defeat a bill that the Chairman does not like. I accept that. But no one ought to misunderstand what the Thomas substitute is, a device to defeat Shays-Meehan.

It ought, therefore, to be rejected, so that we can honestly fulfill the Speaker's pledge, which was a pledge to vote on Shays-Meehan, not merely to bring it to the floor so that opponents could, by some procedural device, dispose of it before we had a chance to vote on it. But let us, as we were elected to do, make a decision. Let us vote on Shays-Meehan, and say to the American people "This is where we stand on preventing soft money, on precluding sham ads, and on providing for a system that is more open and more fair to the American public," so that the cynicism that now abounds can, to some degree at least, be diminished, and the American public can have more faith in their political system and, yes, in us.

I urge a "no" vote on the Thomas substitute and a "yes" vote on Shays-Meehan, which is meaningful, important, campaign finance reform.

□ 2310

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. THOMAS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SHAYS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 256, not voting 5, as follows:

[Roll No. 421]

AYES—173

Aderholt
Archer
Army
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bateman
Biggart
Billirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gallegly

Gekas
Gibbons
Goode
Goodlatte
Pitts
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
John
Johnson, Sam
Jones (NC)
Kasich
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Oxley
Packard
Paul
Pease

NOES—256

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Billbray
Blagojevich
Blumenauer
Boehler
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay

Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley

Jenkins
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Goss
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klecza
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)

Menendez
Metcalf
Millender-
McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin

NOT VOTING—5
Pryce (OH)
Ros-Lehtinen
Shaw

□ 2330

Mr. WYNN and Mr. GOODLING changed their vote from "aye" to "no."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. Hobson, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, pursuant to House Resolution 283, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gedensson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchee
Hinojosa
Hoefel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslie
Jackson (IL)
Jackson-Lee
(TX)
Jefferson

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. HOYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 252, nays 177, not voting 5, as follows:

[Roll No. 422]

YEAS—252

Abercrombie	Frelinghuysen	McNulty
Ackerman	Frost	Meehan
Allen	Galleghy	Meek (FL)
Andrews	Ganske	Meeks (NY)
Bachus	Gejdenson	Menendez
Baird	Gephardt	Metcalf
Baldacci	Gilchrest	Millender-
Baldwin	Gillmor	McDonald
Barrett (NE)	Gilman	Miller, George
Barrett (WI)	Gonzalez	Minge
Bass	Gordon	Moakley
Becerra	Graham	Moore
Bentsen	Green (TX)	Moran (VA)
Bereuter	Greenwood	Morella
Berkley	Gutierrez	Nadler
Berman	Hall (OH)	Napolitano
Berry	Hill (IN)	Neal
Bilbray	Hill (MT)	Oberstar
Blagojevich	Hilliard	Obey
Blumenauer	Hinchev	Olver
Boehrlert	Hinojosa	Ortiz
Bonior	Hoefel	Ose
Borski	Holden	Owens
Boswell	Holt	Pallone
Boucher	Hookey	Pascrell
Boyd	Horn	Pastor
Brady (PA)	Houghton	Payne
Brown (FL)	Hoyer	Pelosi
Brown (OH)	Hulshof	Petri
Campbell	Insee	Phelps
Capps	Jackson (IL)	Pickett
Capuano	Jackson-Lee	Pomeroy
Cardin	(TX)	Porter
Carson	Jefferson	Price (NC)
Castle	Johnson (CT)	Quinn
Clay	Johnson, E. B.	Ramstad
Clayton	Jones (OH)	Rangel
Clement	Kanjorski	Regula
Clyburn	Kaptur	Reyes
Collins	Kelly	Rivers
Condit	Kennedy	Rodriguez
Conyers	Kildee	Roemer
Cook	Kilpatrick	Rothman
Costello	Kind (WI)	Roukema
Coyne	Klecza	Roybal-Allard
Cramer	Klink	Rush
Crowley	Kucinich	Sabo
Cummings	Kuykendall	Sanchez
Danner	LaFalce	Sanders
Davis (FL)	Lampson	Sandlin
Davis (IL)	Lantos	Sanford
Deal	Larson	Sawyer
DeFazio	LaTourette	Saxton
DeGette	Lazio	Schakowsky
Delahunt	Leach	Serrano
DeLauro	Lee	Shays
Deutsch	Levin	Sherman
Dicks	Lewis (GA)	Shimkus
Dingell	Lipinski	Shows
Dixon	LoBiondo	Sisisky
Doggett	Lofgren	Skelton
Dooley	Lowey	Slaughter
Doyle	Lucas (KY)	Smith (MI)
Duncan	Luther	Smith (WA)
Edwards	Maloney (CT)	Snyder
Engel	Maloney (NY)	Spratt
Eshoo	Markey	Stabenow
Etheridge	Martinez	Stark
Evans	Mascara	Stenholm
Farr	Matsui	Strickland
Fattah	McCarthy (MO)	Tanner
Filner	McCarthy (NY)	Tauscher
Foley	McDermott	Taylor (MS)
Forbes	McGovern	Thompson (CA)
Ford	McHugh	Thompson (MS)
Frank (MA)	McIntyre	Thune
Franks (NJ)	McKinney	Thurman

Tierney	Visclosky	Wexler
Towns	Walsh	Weygand
Turner	Wamp	Wise
Udall (CO)	Waters	Wolf
Udall (NM)	Watt (NC)	Woolsey
Upton	Waxman	Wu
Velazquez	Weiner	Wynn
Vento	Weldon (PA)	

NAYS—177

Aderholt	Goodlatte	Paul
Archer	Goodling	Pease
Army	Goss	Peterson (MN)
Baker	Granger	Peterson (PA)
Ballenger	Green (WI)	Pickering
Barcia	Gutknecht	Pitts
Barr	Hall (TX)	Pombo
Bartlett	Hansen	Portman
Barton	Hastert	Radanovich
Bateman	Hastings (WA)	Rahall
Biggert	Hayes	Reynolds
Bilirakis	Hayworth	Riley
Bishop	Hefley	Rogan
Bilely	Herger	Rogers
Blunt	Hilleary	Rohrabacher
Boehner	Hobson	Royce
Bonilla	Hoekstra	Ryan (WI)
Bono	Hostettler	Ryun (KS)
Brady (TX)	Hunter	Salmon
Bryant	Hutchinson	Scarborough
Burr	Hyde	Schaffer
Burton	Isakson	Scott
Buyer	Istook	Sensenbrenner
Callahan	Jenkins	Sessions
Calvert	John	Shadegg
Camp	Johnson, Sam	Sherwood
Canady	Jones (NC)	Shuster
Cannon	Kasich	Simpson
Chabot	King (NY)	Skeen
Chambliss	Knollenberg	Smith (NJ)
Chenoweth	Kolbe	Smith (TX)
Coble	LaHood	Souder
Coburn	Largent	Spence
Combest	Latham	Stearns
Cooksey	Lewis (CA)	Stump
Cox	Lewis (KY)	Stupak
Crane	Linder	Sununu
Cubin	Lucas (OK)	Sweeney
Cunningham	Manzullo	Talent
Davis (VA)	McCollum	Tancredo
DeLay	McCrery	Tauzin
DeMint	McInnis	Taylor (NC)
Diaz-Balart	McIntosh	Terry
Doolittle	McKeon	Thomas
Dreier	Mica	Thornberry
Dunn	Miller (FL)	Tiahrt
Ehlers	Miller, Gary	Toomey
Ehrlich	Mink	Trafigant
Emerson	Mollohan	Vitter
English	Moran (KS)	Walden
Everett	Murtha	Watkins
Ewing	Myrick	Watts (OK)
Fletcher	Nethercutt	Weldon (FL)
Fossella	Ney	Weller
Fowler	Northup	Whitfield
Gekas	Norwood	Wicker
Gibbons	Nussle	Wilson
Goode	Oxley	Young (AK)
	Packard	Young (FL)

NOT VOTING—5

Hastings (FL)	Pryce (OH)	Shaw
Kingston	Ros-Lehtinen	

□ 2347

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 417, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONSIDERING MEMBER AS PRIMARY SPONSOR OF H.R. 88

Mr. HOLT. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the primary sponsor of H.R. 88, a bill originally introduced by our esteemed former colleague, Representative Brown of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2490, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-322) on the resolution (H. Res. 291) waiving points of order against the conference report to accompany the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF ADDITIONAL CONFEREES ON S. 900, FINANCIAL SERVICES MODERNIZATION ACT OF 1999

The SPEAKER pro tempore. Without objection, the Chair appoints the following additional conferees on S. 900, Financial Services Act of 1999:

From the Committee on Banking and Financial Services, for consideration of section 101 of the Senate bill and section 101 of the House amendment:

Mr. KING is appointed in lieu of Mr. BACHUS.

Mr. ROYCE is appointed in lieu of Mr. CASTLE.

From the Committee on Commerce, for consideration of section 101 of the Senate bill and section 101 of the House amendment:

Mrs. WILSON is appointed in lieu of Mr. LARGENT.

Mr. FOSSELLA is appointed in lieu of Mr. BILBRAY.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

□ 2350

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBERS OF COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following resignation as a member of the