

orchestrated an “outrageous and pervasive” union-busting campaign consisting of over 100 violations of labor law and the illegal firing of 28 employees. OSHA has found 473 safety violations—266 of them willful—and fined Avondale \$537,000, the second largest fine in U.S. shipbuilding history.

The AFL-CIO has asked the Navy to investigate Avondale’s business practices, as a first step to determining what steps should be taken. That doesn’t sound so unreasonable to me. In fact, it seems to me that the Navy ought to be concerned when its contracts come in late, as they have at Avondale. It ought to be concerned when a contractor’s working conditions are so bad that it suffers from labor shortages.

And it seems to me the Navy ought to investigate whether a company found to have orchestrated an “outrageous and pervasive” campaign to violate labor laws is a responsible contractor. Or whether a shipyard found to have willfully violated health and safety laws 266 times is a responsible contractor.

The Navy says it cannot take sides in a labor dispute. But nobody is asking them to do that. The problem is that they already appear to have taken sides. When the Navy finances Avondale’s union-busting campaign, when it pays legal fees for Avondale’s court challenges, when it certifies Avondale as a responsible contractor with a satisfactory record of integrity and business ethics, and when it rewards Avondale with Navy contracts, the Navy appears to be taking sides.

What has happened at Avondale should give us all pause. The NLRB’s general counsel acknowledges that the Avondale case exposes the many problems with the system, caused in part by budget cuts and procedural delays. “It’s hard to take issue with the notion that it’s frustrating that an election that took place five years ago [now six] still hasn’t come to a conclusion. It’s something we’re looking at as an example of the process not being what it should be.”

Indeed, the Avondale case exposes glaring loopholes in our labor laws that make it next to impossible for workers to form a union and bargain collectively. In fact, this case provides us with a roadmap for putting a stop to rampant abuses of our labor laws.

First of all, we need to restore cuts in the NLRB’s budget so that defendants with deep pockets can’t delay the process for years and years. But beyond that, we need to improve our labor laws so we can put a stop to abuses of the kind we’ve seen in the Avondale case.

We need to install unions quickly after they win an election, the same way we allow elected officials to take office pending challenges to their election. Why should workers be treated any differently than politicians?

In addition, we need to strengthen penalties against unfair labor practices

such as the illegal firing of union organizers and sympathizers. And we need to ensure that organizers have equal access to workers during election campaigns, so that companies like Avondale are not able to intimidate their employees and monopolize the election debate.

Senator KENNEDY and I have introduced legislation that would do exactly that. Our bill—S. 654, the Right to Organize Act of 1999—would provide for mandatory mediation and binding arbitration, if necessary, after a union is certified. It would provide for treble damages and a private right of action when the NLRB finds that an employers has illegally fired its workers for union activity. And it would give organizers equal access to employees during a union election campaign.

The Avondale case sends a message to other companies and to workers everywhere, and it’s the exact opposite of the message we should be sending. We should be sending a message that corporations are citizens of their community and need to obey the law and respect the rights of their fellow citizens. We should be sending a message that corporations who live off taxpayer money, especially, have an obligation to be good corporate citizens.

Avondale is making a mockery of U.S. labor laws and of the democratic right to organize. Instead of rewarding and financing the illegal labor practices of employers such as Avondale, I believe we should shine a light on these abuses and put a stop to them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

#### THE CALLING OF THE BANKROLL

Mr. FEINGOLD. Mr. President, in 1906, Wisconsin sent a new Senator to Washington, and this body and this Government have never been the same since.

From the moment he arrived, delivering powerful orations on the floor of this Chamber and taking on the most powerful interests in this country and all around the world, he became the stuff of legend. Of course, I am talking here about Robert M. La Follette, Sr., who was destined to become one of the greatest Senators in the history of this distinguished body. It is fitting that his portrait now hangs in the Senate reception room outside of this Chamber, along with just four other legendary Senators: Daniel Webster, Henry Clay, John C. Calhoun, and Robert Taft.

When he came to this body, La Follette was already known as an insurgent, and his arrival made more than a few of his colleagues nervous, including, of course, the Senate’s leadership. At the time, because this was prior to the ratification of the 17th amendment in 1913, Senators were still appointed by State legislatures, and La Follette himself had been appointed to fill the office after he served as Governor of Wisconsin for 5 years.

By and large, however, the Senate of the early 1900s was dominated by the powerful economic interests of the day: the railroads, the steel companies, and the oil companies, and others.

Senator La Follette did not disappoint those in his State and across the country who looked to him to champion the interests of consumers, taxpayers, and citizens against those entrenched economic forces. The Senate in those days, if you can imagine this, had an unwritten rule that freshman Senators were not supposed to make floor speeches.

La Follette broke that rule in April of 1906. He gave a speech that lasted several days and covered 148 pages of the CONGRESSIONAL RECORD. Speaking on the most important legislation of the year, the Hepburn Act regulating railroads, La Follette discussed the power of the railroad monopolies and declared:

At no time in the history of any nation has it been so difficult to withstand those forces as it is right here in America today. Their power is acknowledged in every community and manifest in every lawmaking body.

So La Follette offered amendments to try to make railroad regulation more responsive to consumer interests. His amendments lost, of course, but that was part of the plan. That summer he went on a speaking tour across the country. He described his efforts to change the Hepburn Act. And then he did something extraordinary and unprecedented: He read the rollcall on his amendments name by name. This “calling of the roll” became a trademark of La Follette’s speeches. Its effect on audiences was powerful. You see, at the time Senators’ actual votes on legislation were not as well known publicly as they are today. And then when Americans found out that their Senators were voting against their interests, they were shocked and they were angry.

The New York Times reported the following:

The devastation created by La Follette last summer and in the early fall was much greater than had been supposed. He carried senatorial courtesy so far that he has actually imperiled the reelection of some of the gentlemen who hazed him last winter.

La Follette’s calling of the roll was part of an effort to expose corporate and political corruption. His view was that powerful economic interests controlled the Senate, preventing it from acting in the public interest. Then, in 1907, just a year after La Follette had come to the Senate, the Congress finally acted on legislation that had been under consideration since an investigation a few years earlier of insurance industry contributions to the political parties. That legislation, the Tillman Act, banned corporations from making political contributions in connection with Federal elections.

Today, over 90 years later, obviously much has changed in the Senate and in the country. For one thing, the votes of Senators are available almost instantly on the Internet and published

regularly in the newspapers. Come election time, political ads remind voters regularly about our voting records. La Follette's idea that the public should know how its representatives have voted and it should hold those representatives accountable for their votes is well accepted in our modern political life.

The power of corporate and other interests in the Senate is still too strong. The nearly century-old prohibition on corporate political contributions is now a mere fig leaf made meaningless by the growth of soft money. Today, corporations, unions and wealthy individuals give unlimited—I repeat, unlimited—contributions of soft money to the political parties. While, technically, corporations still do not contribute directly to individual campaigns, they might as well be. Individual Members of Congress get on the phone and raise soft money for their parties, and that money is in turn targeted at congressional races. Some Members have set up so-called leadership PACs to accept soft money for use in their own political endeavors. Soft money has, once again, given corporations the kind of influence over this Congress that La Follette railed against on this very floor.

Since I have come to the Senate, I have noticed that we talk about the money that funds our campaigns and the influence on policy only a few times a year. That is when we are debating actual campaign finance legislation. It is almost as if the influence of campaign money on our business here is an abstract proposition, relevant only when we debate changing the way campaigns are financed. But we all know that the power of money in this body is much more pervasive and, I would say, insidious than that.

We know, if we are honest with ourselves, that campaign contributions are involved in virtually everything that this body does. Campaign money is the 800-pound gorilla in this Chamber every day that nobody talks about but that cannot be ignored. All around us and all across the country, people notice the gorilla. Studies come out on a weekly basis from a variety of research organizations and groups that lobby for campaign finance reform that show what we all know: The agenda of the Congress seems to be influenced by campaign money. But in our debates here, we are silent about that influence, and how it corrodes our system of government.

Mr. President, we can allow that silence no longer. In the tradition of my illustrious predecessor Senator La Follette, I am inaugurating a modern version of the Calling of the Roll. I will call it the "Calling of the Bankroll."

I don't expect to be listing votes or specific contributions to specific Senators, but I will be providing vital information, both to my colleagues and the public, as to how much money special interests are donating overall to candidates and political parties. I'll be

providing a context for evaluating our debates on legislation, and I'll be doing it right here on this floor, and in the CONGRESSIONAL RECORD, for the convenience of the public and my colleagues.

I plan to Call the Bankroll from time to time here on the floor of this Senate as we debate significant legislation and at least until this body passes a campaign finance reform bill. This body can no longer ignore the 800 pound gorilla. I'm going to point him out sometimes when I speak on a bill, because I think we in the Senate need to face this issue head on. We cannot just pull our head out of the sand to discuss the influence of money on the legislative process once a year when we take up a campaign finance bill.

I am sure my colleagues are familiar with the old adage that is attributed to Otto von Bismarck: "If you like laws and sausages, you should never watch either one being made." Well, we might not like to admit that campaign contributions are an ingredient of our legislation, but we know that they are. And the public knows too, although they might not know the details.

But it's those details which help the public see the big—and disturbing—picture of the influence of wealthy interests on our legislation.

It's time to illustrate clearly how our flawed campaign finance system, which corrupts our democracy, also affects our daily lives. The public has a right to this information—it has a right to know how the special interests have worked to influence legislation, and how that influence has had an impact on everything from defense spending to the Y2K problem, and just about everything in between.

I think this information should be part of our public debate on important legislation, and that's why I will Call the Bankroll from this floor. In fact I've already started to do this over the past few weeks on several occasions. For example, when we considered the Emergency Supplemental Appropriations bill, which included a rider to delay the implementation of new mining regulations, I called attention to the more than \$29 million the mining industry contributed to congressional campaigns during the last three election cycles, and the \$10.6 million the industry made in soft money contributions during the same period.

During our debate over the Juvenile Justice bill, I noted the \$1.6 million the NRA gave in PAC money in the last election cycle, and the \$146,000 in PAC money Handgun Control gave during the same period. Just last month, when I argued for my amendment to the Department of Defense authorization bill concerning the Super Hornet, I included

information about the more than \$10 million in PAC and soft money contributions the defense industry made in the last cycle. I also pointed out during the debate on Y2K legislation that the computer and electronics industry gave close to \$6 million in PAC and soft

money in 1997 and 1998, while the Association of Trial Lawyers of America gave \$2.8 million.

We have many difficult and important bills to work on this year, Mr. President: bankruptcy reform, financial modernization when it comes back from conference, a patients' bill of rights, and all of our spending bills. It won't be difficult, indeed it will be easy, to find examples in each of those areas of huge campaign contributions coming from industries and groups that are affected by our work. The bankruptcy reform bill itself is a prime example: The members of the National Consumer Bankruptcy Coalition—an industry lobbying group made up of the major credit card companies, and associations representing the nation's big banks and retailers—gave nearly \$4.5 million in contributions to parties and candidates in the last election cycle.

The public deserves to know about this, Mr. President. It deserves to know about the campaign contributions these interests are giving us and our political parties at fundraisers—fundraisers that sometimes take place the night before or the night after we vote on bills that affect them.

Now Mr. President, I do not have any pride of authorship here, nor do I plan to lay out the whole picture of campaign contributions that might be relevant to our discussion of a bill. To the contrary, I encourage my colleagues to join this debate. And in particular I want to recognize the effort of my friend the Senator from South Carolina, who on Tuesday came to this floor during the closing debate on the Y2K bill, calling his own roll of the high tech companies that have made campaign contributions to this Congress.

If any of my colleagues feel that the contributions of a different industry or interest group should be highlighted, I encourage them to add that information to their remarks in this chamber. I will also welcome any corrections or additions that my colleagues might wish to provide. Nor do I believe that organizations that may have supported me should be exempt from the Calling of the Bankroll. Providing information about the contributions of any group or interest is welcome, and, more than that, it is critical to the purpose of this effort.

This information should be in the RECORD, and all Senators should be aware that these facts are in the RECORD as they decide how to cast their votes. It is time that the 800-pound gorilla of campaign money be made a part of our debate on legislation.

I look forward to the day when the Calling of the Bankroll will no longer be necessary; when this body has adopted bipartisan campaign finance reform legislation to ban soft money and to restore the vitality of the law banning corporate contributions to federal elections that was enacted in 1907, the year after Robert La Follette of Wisconsin came to the Senate.

Let me close with another quote from Senator La Follette's inaugural speech on the floor of the Senate. He was responding to the argument that public sentiment had been whipped into an unreasonable hysteria over the question of whether the railroads controlled the Congress. His words seem quite apt to me as a response to those who argue on this floor that we really have no campaign finance problem in this country—and that the media and the groups that support reform exaggerate the impact of money on the legislative process. He said:

[I]t does not lie in the power of any or all of the magazines of the country or of the press, great as it is, to destroy, without justification, the confidence of the people in the American Congress. . . . It rests solely with the United States Senate to fix and maintain its own reputation for fidelity to public trust. It will be judged by the record. It can not repose in security upon its exalted position and the glorious heritage of its traditions. It is worse than folly to feel, or to profess to feel, indifferent with respect to public judgment. If public confidence is wanting in Congress, it is not of hasty growth, it is not the product of 'jaundiced journalism.' It is the result of years of disappointment and defeat.

Mr. President, the Senate must respect the public judgment and fix its reputation for fidelity to the public trust. It must let the solid bipartisan majority of this body that supports reform, work its will and pass a campaign finance reform bill this year. Until it does, Mr. President, I plan to Call the Bankroll. I'm going to acknowledge the 800 pound gorilla in this chamber, and I'm going to ask my colleagues to do the same. And then I'm going to see if we can't agree that it's time to show him the door.

Mr. President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Minnesota.

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SUPPORT FOR CALLING THE BANKROLL

Mr. WELLSTONE. Mr. President, I would be proud, I say to my colleague, Senator FEINGOLD, to be his first recruit in calling the bankroll. I think it is extremely important. I also want to say, being a Senator from the Midwest, that we talk about the fighting La Follette, and we have a fighting Russ FEINGOLD from the State of Wisconsin, who I think is the Bob La Follette of this Senate. I thank him for his focus on what I believe is a core issue.

Mr. President, how much time do we have on our side in morning business?

The PRESIDING OFFICER. Four minutes.

Mr. WELLSTONE. Might I ask, so that I know, if I suggest the absence of a quorum, does that time burn off on our part?

The PRESIDING OFFICER. The Senator has to get unanimous consent that the quorum call not be counted against you.

PATIENT PROTECTION ACT

Mr. WELLSTONE. Mr. President, I will take a couple of minutes, actually, to speak on our time. I want to make a connection between what my colleague from Wisconsin, Senator FEINGOLD, was saying about the mix of money and politics and all the ways in which big money undercuts representative democracy. I want to make a connection to a piece of legislation that we are trying to get out here on the floor, which is the Patient Protection Act. I say to my colleague from Wisconsin, who is calling the payroll, one of the things I want to do is maybe just come to the floor and present some data about contributions that come from parties on all sides of this question. But from my point of view, you have a health insurance industry that sort of really basically has made the effort to keep universal health care coverage and, for that matter, basic protection of patients, consumer protection, off of the agenda. I think it is our responsibility to put it back on the agenda.

I think we have reached a point in our country where the pendulum has swung too far in the direction of increasingly "corporatized" medicine, and it has become corporatized, bureaucratized. You have basically a few large insurance companies that own and control the majority of the managed care plans and, as a result of that, the consumers and the patients wonder where we fit in.

There are a series of Senators on the Democratic side—I certainly hope there will be an equal number on the Republican side—that are committed to bringing patient protection legislation to the floor. Some of my colleagues, such as Senators DURBIN, KENNEDY, I think BOXER, and certainly Senator DASCHLE have introduced a bill, and we were all speaking about this last night. We want to talk about ways in which there can be sensible consumer protection.

That is really what the issue is: Making sure our caregivers—our doctors and our nurses—are able to make decisions about the care we need as opposed to having the insurance industry decide; making sure you have a medicine that is not a monopoly medicine with the bottom line as the only line; making sure people don't find themselves, as employers shift from one plan to another, no longer able to take their child to a trusted family doctor; making sure families with children with illnesses are able to have access to the kind of specialty care that is the best care for their children; making sure there is an ombudsman program available so that advocates who are there, to whom people can go, do know what their rights are; making sure that when we have an external review process of the kind of decisions that are made, people have a place to make an appeal and they know the decision will be a fair decision—making sure, in other words, that we are able to obtain the best care for our families.

As I travel around Minnesota—and around the country, for that matter—I find it astounding the number of people, the number of families, that fall between the cracks. The number of people—even if you are old enough for Medicare, it is not comprehensive. Seniors from Minnesota can't afford the prescription drug costs. It does nothing about catastrophic expenses at the end of your life. If you are ill and you have to be in a nursing home, almost everything you make is basically going to be taken away; there will be nothing left.

That is one of the things that strikes terror in the hearts of elderly people—or people aren't poor enough for medical assistance, which is by no means comprehensive enough; or people aren't lucky enough to be working for an employer that can provide them with good coverage.

To boot, what happens right now is that people who have the coverage find that with this medicine that we have, it is just going so far in the direction of becoming a bottom-line medicine that consumers are basically left in the dust.

We want to have some sensible protection for consumers. We want to bring it to the floor of the Senate. And we want to have a debate on this legislation.

The majority party—the Republican Party—leadership has taken to the situation that they want to be able to sign off on amendments we introduce. But that is not the way it works. It is not a question of some Senators telling other Senators what amendments are the right amendments to introduce. We should have the full-scale debate. We should be able to come out here with amendments. We should be able to come out here with amendments that provide consumers with more rights to make sure that people have access to the care they need; to make sure the decisions are made by qualified providers; to make sure the bottom line is not the only line; to make sure this is not an insensitive medical system; to make sure that people do not go without the kind of care they need. We want to do that.

We are committed to making this fight, and, if necessary, I think what you are going to see happen over the next week and beyond is that we are going to, one way or another, have a debate about this critically important issue.

As long as I am talking about health care, I would like to say also that I think the other central issue is the way in which the insurance industry is taking universal health care coverage off the table. We need to put it back on the table. I can't think of an issue that is more important to families in our country.

Mr. President, might I ask how much time we have left?

The PRESIDING OFFICER. The Senator has exceeded his time.

Mr. WELLSTONE. I thank the Presiding Officer for his patience. I ask