

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

Mr. DURBIN. I thank the Chair.

There are many millions of children around the world who deserve our concern and our compassion. I hope those who are expressing this feeling about Elian Gonzalez will not stop at that, will decide that we can do more to help many others in small ways and large ways combined. I hope next week the leadership of the Senate does not bring this matter before us. I will oppose it. I will support the resolution from the Senator from Connecticut. I think it is sensible. It answers the basic question with the most basic family value. Where should Elian Gonzalez be? He should be with his father, his last surviving parent. The trauma that he has been through I think, I hope he can endure. I hope he will be a strong little boy. I hope he will grow up and reflect on his experience in the United States, remembering that there were people who loved him in this country as well, and there certainly are.

Let me close by saying that I hope Cuban Americans will consider this for a moment. I don't believe the action they have taken relative to Elian Gonzalez has increased the popularity of their cause at all. Many people are confused and bewildered that they would fight a foreign policy battle on the back of a 6-year-old boy.

I think we should learn a lesson from history. There was a time when Eastern Europe was under Soviet domination.

There was a time when we considered them to be victims of a Communist regime. We decided in the latter part of the last century that the best way to change that government and that mindset in Eastern Europe was to open the doors wide, let them see the rest of the world, let them trade with the United States and Europe, and let them understand what democracy was all about, let them see what freedom meant in their daily lives, and, you know, it worked.

We saw the Berlin Wall come down. We saw countries such as Poland, under Soviet domination for 40 years, emerge into a democracy and an economy that is an inspiration to all. Can't we learn the same lesson when it comes to Cuba? If we open the doors and allow Cubans to come to the United States to visit, to work, to trade, to engage in cultural and educational exchanges, is there anyone who can doubt that will lead to a new Cuba? Is there anyone who doubts that kind of exchange, instead of this isolationism, will force the political change we have been waiting for for over four decades?

I don't think that change will come about by granting citizenship to Elian Gonzalez. That one little boy will become just a tragic footnote in history. He has endured enough in his short life. I hope this Senate doesn't add to the burden he now has to carry—the memory of seeing his mother drown at sea. I hope the leadership of the Senate will

think twice before they allow us to become party to what has become a sad chapter in the history of this country. I yield the floor.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 106-120, appoints the following individuals to serve as members of the National Commission for the Review of the National Reconnaissance Office: The Senator from Colorado (Mr. ALLARD), Martin Faga, of Virginia and William Schneider, Jr., of New York.

APPOINTMENTS BY THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106-120, appoints the following individuals to serve as members of the National Commission for the Review of the National Reconnaissance Office: The Senator from Nebraska (Mr. KERREY), and Lieutenant General Patrick Marshall Hughes, United States Army, Retired, of Virginia.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, appoints the Senator from New York (Mr. MOYNIHAN) to read Washington's Farewell Address on February 22, 2000.

UNANIMOUS CONSENT AGREEMENT

Mr. REID. Mr. President, I ask unanimous consent that Senator GRAMS of Minnesota be allowed to speak in morning business when the Senator from Nevada has completed his statement.

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

THE HIGH COST OF CAMPAIGNS

Mr. REID. Mr. President, about a year ago, I was still celebrating my victory from the election of 1998. It was a tough election. The reason I mention that today is because in the small State of Nevada, with less than 2 million people, the two candidates running for the Senate spent over \$20 million. We had less than 500,000 people who voted in that election but we spent over \$20 million. We spent approximately \$4 million in our campaign accounts, and then each party spent about \$6 million. So it was a total of \$20 million, plus an undisclosed amount of money that was spent by people who represented the National Rifle Association, the truckers' association, and other groups. These independent ex-

penditures on both sides were something that added to the cost of that election in Nevada.

The reason I mention this is when I first came to the Senate, I had an election I thought cost too much money. It cost about \$3 million. In this election I spent over \$10 million—that is, counting the money spent mostly on my behalf and on behalf of the others in that election cycle.

Something has to be done to stop the amount of money being spent on these elections. We know that on the Presidential level, Senator MCCAIN, who is running for the Republican nomination for the Presidency, is spending a lot of his time talking about the need for campaign finance reform. I admire and appreciate the work of Senator MCCAIN in this regard. On the Democratic side, both Senators Bradley and Vice President GORE are talking about the need for campaign finance reform. Those who support campaign finance reform got a real boost, a real shot in the arm, in the last few days when the U.S. Supreme Court, in a case that came out of Missouri, rendered a 6-3 opinion. In effect, that opinion said in the case of *Shrink v. Missouri Government* that the Court had a right to set maximums as to how much somebody could spend. The Court held that the Missouri law imposing a little over a \$1,000 limit on contributions to State candidates did comply with the Constitution, despite a challenge claimed that the limit was so low it affected the ability of interested people to give to the candidate of his choice.

The reason this case was so important is that everybody has been waiting for almost 25 years to determine what the Court would do about *Buckley v. Valeo*, were the Court held that political contributions are speech protected by the first amendment. Though certain limits could be enforced, the Government could not put too many restrictions on when and what a person could spend on political candidates. Some hoped and wished the *Shrink* case, cited by the Supreme Court, would throw out all the limitations and, in effect, there would be a free-for-all as to how much money could be raised, and there would be no restrictions as to from where the money would come. The *Shrink* case, while it didn't cite all the problems with campaign finance money, decided there could be limits established in campaign finance spending. That is an important step.

I think what we need is to have elections that are shorter in time. We have to have limitations on how much people can spend on elections. We can't do anything in light of the present law with having individuals spend unlimited amounts of money until we pass a constitutional amendment, which has been pushed by Senator FRITZ HOLINGS for many years. In spite of our being unable to stop people from spending personal moneys of unlimited amounts, the Court clearly said limits

can be set. I think this should add impetus to the Presidential campaign now underway. What Senator MCCAIN is saying is that we should go with the Feingold-McCain bill that is going to stop the flow of soft money, corporate money, in campaigns. That seems to be something that certainly can be done. We know in the past it has been done in Federal elections, and this should be reestablished.

So I hope Senator MCCAIN, Bill Bradley, and Vice President GORE will continue talking about this. I hope it becomes an issue in the Presidential campaign, which will be shortly upon us.

I do appreciate the Supreme Court. There are some who come here and berate them very often. I think it is time we throw them a bouquet. This was a tough opinion, decided by a 6-3 margin. I think this is important. Justice Stevens noted:

Money is not speech, it is property. Every American is entitled to speak, but not every American has the same amount of property.

That is something I hope will be carried over into future discussions by the Supreme Court in reviewing *Buckley v. Valeo*, as to what it means regarding whether or not free speech is the ability to spend as much money as you want in a campaign. I don't think it is. I think the Supreme Court will agree with me.

In short, the Supreme Court did the right thing. It should give us, as a body, the ability to change the law and revisit some of the things taking place in America today. What Senator FEINGOLD and Senator MCCAIN have tried to do is the right approach. We should do that. All the arguments made about how it would be unconstitutional to do that certainly fail in light of what the Supreme Court recently decided.

THE FREEDOM OF ACCESS TO CLINIC ENTRANCE ACT

Mr. REID. Mr. President, prior to coming here I was a trial lawyer. I started out representing insurance companies. I was a defense lawyer representing insureds who were involved in automobile accidents and other problems. I went to court and tried those cases—lots of them. Then, in the second part of my career, I represented people who had been injured. We sued, in effect, insurance companies. I also had the opportunity and the experience to represent people charged with crimes. I took those cases to juries. I had the good fortune to ask juries approximately 100 times to understand my client's plight and to, hopefully, be an advocate for what was right. I came to the conclusion that what juries do, with rare exception, is arrive at the right decision. It may not always be for the right reason, but it is usually the right decision. I believe in our system of justice, where juries make decisions.

I believe in following the law. What I mean by that is, if there is a law on the books, or the Supreme Court has interpreted that law, I believe it should be

followed. There is a very controversial issue that is always before this body dealing with the reproductive rights of women. It doesn't matter how you feel, whether you are a so-called pro-choice or pro-life person; a group of Senators and Congressmen, Democrats and Republicans, pro-life and pro-choice Members, joined together to pass what is called the Freedom of Access to Clinic Entrance Act, called FACE.

In effect, the law said if there is a legally constituted entity, such as Planned Parenthood, that is giving women reproductive advice, and on occasion they also perform abortions—it is legal. Some of us may not agree with what they are doing. But, it is a legal entity. They are doing legal things. But FACE said you can't go to one of these entities and stop them from doing business, because if you do, you will violate the law.

A number of people who were unwilling to follow the law were sued as a result of their doing the wrong thing in the FACE States, and a court of law—like those courts I just talked about—ruled against them.

For example, Randall Terry is a person who is opposed to abortion. He sought to intimidate and do acts of violence at abortion clinics. A court awarded \$1.6 million to the people who sued him. He acknowledged his intent in doing harm, and he said: I am going to file bankruptcy. Indeed, He filed bankruptcy to avoid the judgement.

Another person by the name of Bonnie Behn of Buffalo, NC, filed for bankruptcy to discharge a debt of some \$36,000 because she violated a court order regarding a local clinic where there was an established buffer zone around the clinic. Money damages were assessed against her. She filed for bankruptcy.

These and other acts I think are just out of line. People who do not believe in our system of justice obviously don't believe in our trial by jury system. They don't believe in courts having the ability to award damages when they do something wrong. In effect, they believe the law is for everybody but them. Having violated the law, the judgment is rendered against them. They say: We are going to discharge this debt in bankruptcy. The debt lien means nothing.

That is why I joined with Senator CHARLES SCHUMER of New York in amendment No. 2763 to say that if people do this, they cannot discharge these debts in bankruptcy. I believe that very strongly.

When I practiced law, I also did some bankruptcy work. I learned very quickly that people who willfully violate the law by willful, wanton acts should not discharge their debts to bankruptcy. In fact, one of the things we looked at was, if somebody was a drunk driver, they should not be able to discharge that debt in bankruptcy.

We have made sure that is now the law because the court said, well, there wasn't intent and therefore it wasn't

willful and wanton. The courts have said in various cases, for example, that if one is charged with drunk driving, they can discharge those debts in bankruptcy. In these cases, we have allowed these individuals to discharge their debts in bankruptcy. They should not be able to do that. This amendment would stop that.

We have had some real difficulties in recent years. We have to have people respond in monetary damages. Why do we have to have them respond in money damages? Because there have been in the last 10 years 2,000 reported acts of violence against abortion providers, including bombing, arson, death threats, kidnapping, assaults, and over 38,000 reported acts of disruption, excluding bomb threats and pickets. Murders have taken place. Clinic workers constantly face the threat of murder. Since 1993, doctors, clinic employees, clinic escorts, and security guards have been murdered. In addition to the murders that have been accomplished, we have had 16 attempted murders.

These providers face violence, threat, and intimidation. In addition to the two murders in 1998, we have had 19 cases where people threw what they called butyric acid. It burns people who come in contact with it. It smells very bad. In fact, the facility where this acid is thrown becomes inoperable. Clinic workers must take extraordinary measures for protection. They have to vary routes to work and call police if they receive suspicion packages, which they do all the time. They are spending hundreds of thousands of dollars on glass, guards, security cameras, metal detectors, and security devices. These are lawful businesses. We have to make sure we live in a law-abiding society.

Anti-choice violence and terror is worsening every day, and one of the reasons is that these people flaunt the law. They throw this acid. They intimidate people, recognizing that there is no way they are going to have to respond in money damages.

I commend and applaud Senator SCHUMER for offering this amendment. The amendment is part of those that have been accepted as amendments that will be taken up on the bankruptcy bill. There is only a half hour of time that Senator SCHUMER has to make his case.

I hope this body, both the majority and minority, will overwhelmingly support this legislation. This has nothing to do with how you feel about the matter of choice; that is, whether you are pro-choice or pro-life. What it has to do with is whether or not you are going to support the law and whether you believe in our system of justice.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.