

in Congressman REGULA's office, 2309 Rayburn House Building by noon on Friday, March 3.●

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IN HONOR OF ADMIRAL ELMO R.
ZUMWALT, JR.

● Mr. FEINGOLD. Mr. President, I rise today to honor a titan in our nation's naval history. Early this year, during our recess, Admiral Elmo R. Zumwalt, Jr. passed away. Admiral Zumwalt led a disciplined, dedicated, and directed life and career as a leader and, sometimes, as an iconoclast.

Mr. President, Admiral Zumwalt's meteoric rise through the ranks began at the U.S. Naval Academy, where he graduated in just three years, yet ranked seventh in his class. Following his graduation from the academy, Zumwalt began a lengthy career on a number of surface warships.

Among those ships was the U.S.S. *Wisconsin*, one of four *Iowa*-class battle-ships, the largest battleships ever built by the Navy. The four vessels, the *Wisconsin*, the *Iowa*, the *New Jersey* and the *Missouri*, served gallantly in every significant United States conflict from World War II to the Persian Gulf War. Future Admiral Zumwalt, the *Wisconsin's* navigator when the Korean War broke out, extolled her "versatility, maneuverability, strength, and power." Unbeknownst to him, this would not be the last time that he would leave his indelible mark on the great state of Wisconsin.

Following his service in the war, Zumwalt shuttled between the Pentagon and the sea. He excelled in both arenas, but in entirely different ways.

In 1970, President Nixon appointed Zumwalt the youngest Chief of Naval Operations in our history. As CNO, Admiral Zumwalt tackled some of the most divisive and challenging issues not just to hit the Navy, but society at large. And we're still trying to conquer some of them.

Admiral Zumwalt crusaded for a fair and equal Navy. He fought to promote equality for minorities and women at a time of considerable racial strife in our country and at a time of deeply entrenched institutional racism and sexism in the Navy. He pushed so hard against the establishment that he almost lost his job. But thanks to the support of some like-minded reformers, including our esteemed colleague, the late John Chafee, who was then the Secretary of the Navy, Zumwalt prevailed and instituted a host of personnel reforms.

Mr. President, Admiral Zumwalt's efforts to promote equality addressed, in part, an issue that we are tackling anew. Many in Congress and in the Defense Department seem to think that recruitment and retention can be improved simply by increasing pay and benefits. They could learn much from Admiral Zumwalt, who understood the importance not only of boosting pay, but also of changing the service to reflect the wants and needs of service members.

We should follow Admiral Zumwalt's example and take a broader view when we look to improve the lives of our military personnel.

Mr. President, in his later years, Admiral Zumwalt dedicated himself to assisting Vietnam War era veterans who had been exposed to Agent Orange. He played an instrumental role in getting Agent Orange-exposed veterans with cancer a service-connected illness designation. I had the honor of meeting with him to discuss his efforts to increase research funding for Agent Orange related illnesses and to explore options for international cooperation in that research.

Admiral Elmo Zumwalt was a great naval leader, a visionary and a courageous challenger of the conventional wisdom. We will not see the likes of him again. We mourn his passing and salute his accomplishments.●

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ORDERS FOR TUESDAY, JANUARY
25, 2000

Mr. GRAMS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 11:30 a.m. on Tuesday, January 25. I further ask consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business with Senators speaking for up to 5 minutes each, with the following exceptions: Senator BOND or designee from 11:30 a.m. until 12 noon, and Senator DURBIN or designee from 12 noon to 12:30 p.m.

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

Mr. GRAMS. I also ask consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet, and that upon reconvening the Senate resume consideration of S. 625, the bankruptcy reform bill.

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

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PROGRAM

Mr. GRAMS. For the information of all Senators, tomorrow the Senate will be in a period of morning business until 12:30 p.m., and will then recess until 2:15 p.m. to accommodate the weekly party conferences. When the Senate reconvenes, the Senate will resume consideration of S. 625, the bankruptcy reform legislation, under the previous consent agreement. Time agreements have been made on the remaining bankruptcy amendments. Therefore, the Senate is expected to complete action on the bill during Wednesday's session of the Senate. As a reminder, the 12 noon cloture vote for tomorrow has been vitiated, and the debate on the remaining amendments will begin tomorrow, with votes expected to occur

on Wednesday at a time to be determined.

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UNANIMOUS CONSENT
AGREEMENT—S. 625

Mr. GRAMS. Mr. President, I ask unanimous consent that the agreement with respect to the bankruptcy bill be vitiated at the request of the majority leader or minority leader up to the hour of 12 noon on Tuesday.

Mr. REID. Reserving the right to object.

Mr. President, this new unanimous consent request literally just came to our attention. I want the record to be very clear that the minority, the Democrats, have worked very hard throughout today to obtain the unanimous consent we have already agreed to. If the bankruptcy bill does not go forward, it is not the fault of the minority.

We have done everything we can. We have spent all day coming up with a unanimous consent agreement. I have talked to Senators literally all over the country, getting them to agree to the unanimous consent which has already been agreed to and is now spread across the record of this Senate.

In short, I hope that the majority leader would not object to the unanimous consent agreement that is already in the record. I acknowledge that the majority leader wants permission, and we are going to grant him that permission, to vitiate the unanimous consent agreement prior to noon tomorrow. I hope he does not do that. It would be a shame for this body and a shame for the country if this objection is made because it will take down the bankruptcy bill for the rest of the year. That would be a shame because we have already worked too hard in the effort to get this legislation passed.

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

Mr. GRAMS. I thank the Senator from Nevada for all his efforts.

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ORDER FOR ADJOURNMENT

Mr. GRAMS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator FEINGOLD.

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

Mr. GRAMS. I yield the floor.

The Senator from Wisconsin is recognized.

The PRESIDING OFFICER. The Senator from Wisconsin.

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SUPREME COURT CAMPAIGN
FINANCE RULING

Mr. FEINGOLD. Mr. President, this morning the Supreme Court issued the most significant ruling in the area of campaign finance and election law since the 1976 landmark decision in *Buckley v. Valeo*. I am happy to report the Court reaffirmed the core holding

of Buckley: The public's elected representatives have the constitutional power to limit contributions to political campaigns in order to protect the integrity of the political process from corruption or the appearance of corruption.

It is most fitting that this ruling came down this morning as the Senate prepares to return from its long recess. As you know, Mr. President, one of the most important unfinished pieces of business on our agenda is campaign finance reform and the McCain-Feingold bill. The House passed a reform bill last year by a wide bipartisan margin, and now today's Court decision leaves no doubt that a soft money ban, which is the core provision of that bill and of our bill in the Senate, is constitutional. Today's decision has dispatched one of the most persistent and most erroneous arguments against reform. The Court did it by a decisive vote of 6-3. We, as a legislative body, must step up and do what is right, what is constitutional, and what is demanded by the public and pass a ban on soft money.

I will take a minute to discuss this important Supreme Court decision and its implications for our work in this body. The case is *Nixon v. Shrink Missouri Government PAC*. It was an appeal of the decision of the Eighth Circuit Court of Appeals that struck down contribution limits enacted by the Missouri Legislature to cover State elections. Those limits were modeled on the Federal limit—\$1,000 per candidate per election in a statewide election, somewhat lower for candidates for the State legislature. The State statute includes an inflation adjustment so that the limit for statewide races had become \$1,075 per election by the time this challenge was filed.

The Missouri limits were upheld by the district court, but they were struck down by the court of appeals. The court of appeals held that the State had not provided adequate evidence of actual or apparent corruption stemming from large contributions to justify the restrictions. It also suggested that the limits were too low and therefore unconstitutional because inflation has eroded the value of a \$1,000 contribution since 1974, when the Congress chose that limit for Federal elections.

Today the Supreme Court squarely and decisively rejected the court of appeals analysis. It did so by a 6-3 vote. I might note that it did so by a 4-3 vote of Justices appointed by Republican Presidents. The Court held that there was more than adequate evidence of actual or apparent corruption on which the State legislature could base its judgment that contributions should be limited. The Court noted that the Buckley decision itself provides that evidence. It said:

Buckley demonstrates that the dangers of large, corporate contributions and the suspicion that large contributions are corrupt are neither novel nor implausible. The opinion noted that the deeply disturbing examples surfacing after the 1972 election demonstrate that the problem of corruption is not an illusory one.

In essence, the Court today rejected the notion that legislatures must amass conclusive evidence of actual corruption in order to justify contribution limits and that each State or Federal legislature must reinvent the wheel each time it passes a new limit. The Court concluded:

[T]here is little reason to doubt that sometimes large contributions will work actual corruption of our political system, and no reason to question the existence of a corresponding suspicion among voters.

The Court thus found, as advocates for reform have argued for years, that it is reasonable for Congress to conclude that large contributions are corrupting our system. The question has been asked not too long ago in this Chamber, where is the corruption? Today Justice Souter has provided the answer: It is in the big money.

The Court also rejected the argument that because the passage of time has eroded the value of a \$1,000 contribution, somehow that limit is now unconstitutionally low, even though it was acceptable in 1974. We have heard this argument time and again on the floor of the Senate. It has been rejected by the Supreme Court. The Court specifically held that Buckley did not establish a constitutional minimum. Instead, the relevant question in Buckley was "whether the contribution limitation was so radical in effect as to render political association ineffective, drive the sound of a candidate's voice below the level of notice, and render contributions pointless."

The Court concluded:

Such being the test, the issue in later cases cannot be truncated to a narrow question about the power of the dollar but must go to the power to mount a campaign with all the dollars likely to be forthcoming. As Judge Gibson, the dissenting judge in the court of appeals, put it, "the dictates of the first amendment are not mere functions of the Consumer Price Index."

I have quoted the decision at some length because I think it is crucial that my colleagues hear and understand the very clear and very direct statements of the Supreme Court on questions that were not only at issue in this case but that we have been debating in this body over the past few years. No longer can my colleagues come to this floor and say they would love to support a ban on soft money but it would violate the first amendment for Congress to outlaw unlimited corporate and labor contributions to political parties. This favorite figleaf clutched by opponents of reform was snatched away today by the Supreme Court. That emperor now has no clothes.

Just as 126 legal scholars said over 2 years ago when they wrote to us, today's decision confirms that Congress may constitutionally outlaw soft money in this country. Justice Breyer's concurrence today, joined by Justice Ginsburg, says that explicitly. He writes:

Buckley's holding seems to leave the political branches broad authority to enact laws

regulating contributions that take the form of soft money.

We have more than adequate evidence of at least the appearance of corruption in these unlimited contributions. Furthermore, if Congress can limit individual contributions and ban corporate and labor contributions in connection with Federal elections, surely it can eliminate the soft money loophole through which corporations, unions, and wealthy individuals evade those limits. The constitutionality of the MCCAIN-FEINGOLD bill to ban soft money is simply no longer an open question. The support of the American people for taking such a step is not in doubt either.

What is in doubt is the courage and will of the Senate to do what has to be done. Now that we are back in session, and with the encouragement of the Supreme Court of the United States, we must act. The reason we must act was made very clear by the Supreme Court today. The survival of our democracy depends on our citizens having confidence that their elected officials will vote in accordance with the public interest rather than the interest of their contributors. The appearance of corruption inherent in unlimited contributions calls that confidence into grave question. As the Court said in its opinion today:

Leave the perception of impropriety unanswered, and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic governance. Democracy works only if people have faith in those who govern. That faith is bound to be shattered when high officials and their appointees engage in activities which arouse suspicions of "malfeasance and corruption."

I urge all of my colleagues to read and digest the opinion of the Court in *Nixon v. Shrink Missouri Government PAC*. The Court has done its duty and spoken in a clear voice. Now we must do ours.

I yield the floor.

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ADJOURNMENT UNTIL 11:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11:30 a.m. on Tuesday, January 25, 2000.

Thereupon, the Senate, at 6:47 p.m., adjourned until Tuesday, January 25, 2000, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 24, 2000:

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

ALAN GREENSPAN, OF NEW YORK, TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

DEPARTMENT OF LABOR

EDWARD B. MONTGOMERY, OF MARYLAND, TO BE DEPUTY SECRETARY OF LABOR, VICE KATHRYN O'LEARY HIGGINS, RESIGNED.