

I hope that my colleagues will examine this bill as well as other legislative approaches that would spur the development of renewable fuels such as ethanol, whether derived from corn or other agricultural or plant materials, while maintaining strict clean air requirements.

#### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 30—CONDEMNING THE DESTRUCTION OF PRE-ISLAMIC STATUES IN AFGHANISTAN BY THE TALIBAN REGIME

Mr. AKAKA (for himself, Mr. KERRY, and Mr. WELLSTONE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 30

Whereas many of the oldest and most significant Buddhist statues in the world have been located in Afghanistan, which, at the time that many of the statues were carved, was one of the most cosmopolitan regions in the world and hosted merchants, travelers, and artists from China, India, Central Asia, and the Roman Empire;

Whereas such statues have been part of the common heritage of mankind, and such cultural treasures must be preserved for future generations;

Whereas on February 26, 2001, the leader of the Taliban regime, Mullah Mohammad Omar, reversed his regime's previous policy and ordered the destruction of all pre-Islamic statues in Afghanistan, among them a pair of 1,600-year-old 175-foot-tall and 120-foot-tall statues carved out of a mountainside at Bamiyan, one of which is believed to have been the world's largest statue of a standing Buddha;

Whereas the religion of Islam and Buddhist statues have co-existed in Afghanistan as part of the unique historical and cultural heritage of that nation for more than 1,100 years;

Whereas the destruction of the pre-Islamic statues contradicts the basic tenet of the Islamic faith that other religions should be treated with respect, a tenet encapsulated in the Qur'anic verses, "There is no compulsion in religion" and "Unto you your religion, and unto me my religion";

Whereas people of many faiths and nationalities have condemned the destruction of the statues in Afghanistan, including many Muslim theologians, communities, and governments around the world;

Whereas the Taliban regime has previously demonstrated its lack of respect for international norms by its brutal repression of women, its widespread violation of human rights, its hindrance of humanitarian relief efforts, and its support for terrorist groups throughout the world; and

Whereas the destruction of the statues violates the United Nations Convention Concerning the Protection of the World Cultural and Natural Heritage, which was ratified by Afghanistan on March 20, 1979: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) joins with people and governments around the world in condemning the destruction of pre-Islamic statues in Afghanistan by the Taliban regime;

(2) urges the Taliban regime to stop destroying such statues; and

(3) calls upon the Taliban regime to grant the United Nations Educational, Scientific and Cultural Organization and other international organizations immediate access to Afghanistan to survey the damage and facilitate international efforts to preserve and safeguard the remaining statues.

Mr. AKAKA. Mr. President, I rise today to introduce a concurrent resolution condemning the destruction of pre-Islamic statues in Afghanistan by the Taliban regime. A similar resolution has been introduced in the House of Representatives. This resolution expresses the grave concern of the Congress over the recent destruction of religious treasures in Afghanistan by the Taliban and over the treatment of the Afghani people by their Taliban rulers.

Afghanistan is home to a rich cultural heritage, steeped in Buddhist history and ancient artifacts. More than 1,500 years ago, a pair of Buddha statues, each standing over 100 feet tall, was carved out of a mountainside in Bamiyan. Since their creation, these statues have been visited by many people. They were both religious and cultural treasures—they become one of the most important models for the depiction elsewhere of Buddha. Significant relics such as these should have been preserved for the edification and enlightenment of future generations.

Islam and Buddhism have peacefully coexisted in Afghanistan for more than 1,000 years. Two years ago, Mullah Mohammed Omar, the leader of the Taliban regime, called for the preservation of Buddhist cultural heritage in Afghanistan. The Islamic faith supports religious tolerance and coexistence, evidenced in the Qur'anic verse "Unto you your religion, and unto me my religion."

In spite of this edict, several times within the last year the leaders of the Taliban regime have ordered the military to disfigure these and other Buddhist statues. On February 26, 2001, Taliban leader Mullah Mohammed Omar ordered the utter destruction of these irreplaceable cultural treasures, along with all other pre-Islamic statues in the nation, calling them "shrines of infidels." Mohammed Omar claimed that statues of the human form are in contradiction with Shari'ah and the tenets of Islam. Shari'ah refers to the laws and way of life prescribed by Allah in the Qur'an, and dictates ideology of faith, behavior, manners, and practical daily life. Destruction of the statues clearly contradicts a basic tenet of the Islamic faith which is tolerance.

The recent destruction of Buddhist statuary is the latest action by the Taliban demonstrating an open disregard for international opinion and basic norms of human behavior which include respect for individuals and their beliefs. Tales of horrific human rights violations continue to be told. Confirmed reports tell of men, imprisoned for political reasons, being held in windowless cells without food and hung by their legs while being beaten with cables. In January of this year, Taliban

troops massacred several hundred Hazaras, members of a Muslim ethnic group in the Bamiyan province. This was just the latest in a series of such slaughters. Such executions are not uncommon.

The regime has a history of showing support for terrorist groups and violating human rights. Women are a frequent target of abuse. Facing the threat of public beatings, women cannot leave their homes unless accompanied by a male relative and are forbidden from participating in activities in which they may interact with men. For this reason, women were banned from work and school under the Taliban, although some were allowed to work on projects sponsored by foreign charities until that right was revoked last summer. This further restriction of women under the Taliban is exacerbated by the increasing occurrence of the rape and abduction of Afghani women. The State Department recently reported that the Taliban sold women from the Shomali plains areas to Pakistan and the Arab Gulf states. The State Department in its human rights reports also describes the risk of rape and abduction and tells of young women forced to marry local commanders who kidnap them. This is a sad situation with no apparent end. Afghanistan appears to be a bottomless pit of human misery, a misery afflicted by the few on the many.

Afghanistan has suffered its share of human and natural disasters. While prolonged civil war continues to wreak havoc among the population, agricultural productivity has been reduced by the worst drought in 30 years. This setback reduced crop yields by 50 percent and resulted in a 80 percent loss of livestock, affecting half the population. But the Taliban government has demonstrated greater interest in opium production than in growing food for their starving people. They seem to want history to remember them as the destroyers of both the Afghani people and Afghanistan's heritage.

I urge my colleagues' support for this resolution, denouncing the actions of the Taliban regime in destroying a vital part of the history of humankind and of their treatment of the Afghani people.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 165. Mr. MCCAIN proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reforms.

SA 166. Mr. BOND proposed an amendment to the bill S. 27, supra.

SA 167. Mr. McCONNELL (for Mr. HATCH) proposed an amendment to the bill S. 27, supra.

SA 168. Mr. HARKIN proposed an amendment to the bill S. 27, supra.

SA 169. Mr. DURBIN (for himself, Mr. DOMENICI, Mr. DEWINE, and Mr. LEVIN) proposed an amendment to the bill S. 27, supra.

## TEXT OF AMENDMENTS

**SA 165.** Mr. MCCAIN proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 25, beginning with line 23, strike through line 2 on page 31 and insert the following:

**SEC. 214. COORDINATION WITH CANDIDATES OR POLITICAL PARTIES.**

(a) IN GENERAL.—

(1) COORDINATED EXPENDITURE OR DISBURSEMENT TREATED AS CONTRIBUTION.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 (8)) is amended—

(A) by striking “or” at the end of subparagraph (A)(i)—

(B) by striking “purpose.” in subparagraph (A)(ii) and inserting “purpose;”;

(C) by adding at the end of subparagraph (A) the following:

“(iii) any coordinated expenditure or other disbursement made by any person in connection with a candidate’s election, regardless of whether the expenditure or disbursement is for a communication that contains express advocacy;

“(iv) any expenditure or other disbursement made in coordination with a National committee, State committee, or other political committee of a political party by a person (other than a candidate or a candidate’s authorized committee) in connection with a Federal election, regardless of whether the expenditure or disbursement is for a communication that contains express advocacy.”.

(2) CONFORMING AMENDMENT.—Section 315(a)(7) of the Federal Election Campaign Act of 1971 (U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

“(B) a coordinated expenditure or disbursement described in—

“(i) section 301(8)(C) shall be considered to be a contribution to the candidate or an expenditure by the candidate, respectively; and

“(ii) section 301(8)(D) shall be considered to be a contribution to, or an expenditure by, the political party committee, respectively; and”.

(b) DEFINITION OF COORDINATION.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)), as amended by subsection (a), is amended by adding at the end the following:

“(C) For purposes of subparagraph (A)(iii), the term ‘coordinated expenditure or other disbursement’ means a payment made in concert or cooperation with, at the request or suggestion of, or pursuant to any general or particular understanding with, such candidate, the candidate’s authorized political committee, or their agents, or a political party committee or its agents.”

(c) REGULATIONS BY THE FEDERAL ELECTION COMMISSION.—

(1) Within 90 days of the effective date of the legislation, the Federal Election Commission shall promulgate new regulations to enforce the statutory standard set by this provision. The regulation shall not require collaboration or agreement to establish coordination. In addition to any subject determined by the Commission, the regulations shall address:

(a) payments for the republication of campaign materials;

(b) payments for the use of a common vendor;

(c) payments for communications directed or made by persons who previously served as an employee of a candidate or a political party;

(d) payments for communications made by a person after substantial discussion about

the communication with a candidate or a political party;

(e) the impact of coordinating internal communications by any person to its restricted class has on any subsequent “Federal Election Activity” as defined in Section 301 of the Federal Election Campaign Act of 1971;

(2) The regulations on coordination adopted by the Federal Election Commission and published in the Federal Register at 65 Fed. Reg. 76138 on December 6, 2000, are repealed as of 90 days after the effective date of this regulation

**SA 166.** Mr. BOND proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 37, between lines 14 and 15, insert the following:

**SEC. 305. INCREASE IN PENALTIES IMPOSED FOR VIOLATIONS OF CONDUIT CONTRIBUTION BAN.**

(a) INCREASE IN CIVIL MONEY PENALTY FOR KNOWING AND WILLFUL VIOLATIONS.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraph (5)(B), by inserting before the period at the end the following: “(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of \$50,000 or 1000 percent of the amount involved in the violation);” and

(2) in paragraph (6)(C), by inserting before the period at the end the following: “(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of \$50,000 or 1000 percent of the amount involved in the violation).”.

(b) INCREASE IN CRIMINAL PENALTY.—

(1) IN GENERAL.—Section 309(d)(1) of such Act (2 U.S.C. 437g(d)(1)) is amended by adding at the end the following new subparagraph:

“(D) Any person who knowingly and willfully commits a violation of section 320 involving an amount aggregating \$10,000 or more during a calendar year shall be fined, or imprisoned for not more than 2 years, or both. The amount of the fine shall not be less than 300 percent of the amount involved in the violation and shall not be more than the greater of \$50,000 or 1000 percent of the amount involved in the violation.”.

(2) CONFORMING AMENDMENT.—Section 309(d)(1)(A) of such Act (2 U.S.C. 437g(d)(1)(A)) is amended by inserting “(other than section 320)” after “this Act”.

(c) MANDATORY REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5)(C) of such Act (2 U.S.C. 437(a)(5)(C)) is amended by inserting “(or, in the case of a violation of section 320, shall refer such apparent violation to the Attorney General of the United States)” after “United States”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of enactment of this Act.

**SA 167.** Mr. McCONNELL (for Mr. HATCH) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 38, after line 3, add the following:

**SEC. 403. EXPEDITED REVIEW.**

(a) EXPEDITED REVIEW.—Any individual or organization that would otherwise have standing to challenge a provision of, or amendment made by, this Act may bring an action, in the United States District Court for the District of Columbia, for declaratory

judgment and injunctive relief on the ground that such provision or amendment violates the Constitution. For purposes of the expedited review, provided by this section the exclusive venue for such an action shall be the United States District Court for the District of Columbia.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order or judgment of the United States District Court for the District of Columbia finally disposing of an action brought under subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 calendar days after such order or judgment is entered; and the jurisdictional statement shall be filed within 30 calendar days after such order or judgment is entered.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

**SA 168.** Mr. HARKIN proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 37, strike lines 15 through 24 and insert the following:

**TITLE IV—NONSEVERABILITY OF CERTAIN PROVISIONS; EFFECTIVE DATE**  
**SEC. 401. NONSEVERABILITY OF CERTAIN PROVISIONS**

(a) IN GENERAL.—Except as provided in subsection (b), if any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

(b) NONSEVERABILITY OF PROHIBITION ON SOFT MONEY OF POLITICAL PARTIES AND INCREASED CONTRIBUTION LIMITS.—If any amendment made by section 101, or the application of the amendment to any person or circumstance, is held to be unconstitutional, each amendment made by sections 101 or 308 (relating to modification of contribution limits), and the application of each such amendment to any person or circumstance, shall be invalid.

**SA 169.** Mr. DURBIN (for himself, Mr. DOMENICI, Mr. DEWINE, and Mr. LEVIN) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 37, between lines 14 and 15, insert the following:

**SEC. . RESTRICTION ON INCREASED CONTRIBUTION LIMITS BY TAKING INTO ACCOUNT CANDIDATE'S AVAILABLE FUNDS.**

Section 315(k)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(i)(1)), as added by this Act, is amended by adding at the end the following:

(E) SPECIAL RULE FOR CANDIDATE'S CAMPAIGN FUNDS.—

(i) IN GENERAL.—For purposes of determining the aggregate amount of expenditures from personal funds under subparagraph (D)(ii), such amount shall include the net cash-on-hand advantage of the candidate.

(ii) NET CASH-ON-HAND ADVANTAGE.—For purposes of clause (i), the term “net cash-on-hand advantage” means the excess, if any, of