Press reports that Chinese personnel have entered our plane and removed equipment are also deeply disturbing. Under international law, the plane enjoys sovereign immune status as the incident took place in international air space and the plane should not have been entered or tampered with. There is no doubt about the location of the incident as even the Chinese Foreign Ministry press spokesman, Mr. Zhu Bang Zao, acknowledged that it took place 104 kilometers, or 65 miles, at sea.

This incident is the most recent in a series of serious episodes in American-Chinese relations since the establishment of diplomatic relations between our two countries. When the Chinese embassy was mistakenly bombed in Belgrade, we moved quickly to assume responsibility and to make appropriate amends. I hope that the Chinese are now willing to take similar steps to defuse the situation and restore the trust necessary between two great nations. It behooves both countries to exercise restraint and respect for each other. The first step towards resolution is for China to release our detained personnel and equipment. Perhaps they do not realize how profoundly affected Americans are by the perception that their fellow citizens are being mistreated or misused as tools of political propaganda. The seizure of the U.S.S. *Pueblo* by North Korea and the takeover of the American Embassy in Iran, as examples, remain sores in the American psyche. We deeply resent the mistreatment of Americans for simply being Americans doing their duty under the protection of international law and agreements. We can also understand China's concern over the loss of its pilot and plane. We regret their loss but prolonging this crisis can benefit neither country nor lead to a reconciliation between us.

A first step needs to be taken. I hope the leaders of our two countries do so soon by opening a direct dialogue. May God bless our servicemen and women who are now suffering this time of trial. Our thoughts and prayers are with them constantly.

THE BIPARTISAN CAMPAIGN REFORM ACT OF 2001

Mr. KERRY. Mr. President, yesterday, at long last, the United States Senate voted to take a first step toward reforming our campaign finance system. This long awaited vote comes after years of partisan delay tactics which have long prevented us from taking an up-or-down vote on this bill. It also comes after an election in which $3 billion was spent in an effort to elect or defeat candidates. Today we have the chance to pass reform which at the very least demonstrates that we've learned a lesson from years of scandal and year upon year of runaway spending.

But let me be clear about something: despite the rhetoric we have heard on the Senate floor, the bill we vote on today is not sweeping reform that will give one party or the other the edge when it comes to funding campaigns. Instead, this bill simply restores, to a certain degree, the campaign finance reform laws that we enacted more than 25 years ago. Back then, in the post-Watergate era, we recognized that it was time to prevent secret stashes of cash from infiltrating our political system. We succeeded in that effort, and I believe the system worked reasonably well for some time, until the recent phenomena of soft money and sham issue advocacy overtook the real limits we had established for our campaign system.

I want to take a minute, to talk about how we got to this point in which our system so desperately needs this modest reform bill. Federal law has prohibited corporations from contributing to federal candidates since 1907. This nearly hundred-year-old ban was enacted in recognition of the fact that corporations accumulate great wealth that could be used to distort electoral outcomes. Labor unions likewise have been barred from contributing to candidates since 1943. In addition, the post-Watergate campaign finance law capped individual contributions to candidates, parties and PACs. These limits were put in place after the country learned a hard lesson about the corrupting influence of money in politics.

Unfortunately, the Federal Election Commission and the courts opened the loopholes that ultimately eviscerated our reform efforts. Soft money first came into play in 1978 when the FEC, the toothless watchdog of our campaign finance laws, opened the door to the cascade of soft money by giving the Kansas Republican State Committee permission to use corporate and union funds to pay for a voter drive benefitting federal as well as state candidates. The costs of the drive were to be split between hard money raised under federal law and soft money raised under Kansas law. The FEC's decision in the Kansas case gave parties the option to spend soft money any time a federal election coincides with a state or local race.

Sham issue advocacy too, has a history that defies the intent of campaign finance laws. In what remains the seminal case on campaign finance, Buckley v. Valeo, the Supreme Court held that campaign finance limitations applied only to ''communications that in express terms advocate the election or defeat of a clearly identified candidate for federal office.'' A footnote to the opinion says that the limits apply when communications include terms ''such as 'vote for,' 'elect,' 'support,' 'cast your ballot for,' 'Smith for Congress,' 'vote against,' 'defeat,' 'reject.'" The phrases in the footnote have become known as the ''magic words'' without which a communication, no matter what its purpose or impact, is often classified as issue advocacy, thus falling outside the reach of the campaign finance laws.

Until the 1992 election cycle, most for-profit, not-for-profit, and labor organizations did not attempt to get into electoral politics via issue advocacy. However, that year a group called the Christian Action Network ran an ad that stretched the distinction between express advocacy and issue advocacy to its limits. The ad, which was broadcast at least 250 times just before the presidential election, was described by a court as giving candidate Bill Clinton a ''sinister and threatening appearance'' before finally wiping his image from the screen. The 30-second spot, entitled ''Clinton's Vision for a Better America,'' denounced what the Christian Action Network labeled Clinton's ''homosexual agenda.'' The ad never used Buckley's ''magic words'' and the Court of Appeals decided that the ad was a discussion of issues related to ''family values'' rather than an exhortation to vote against Clinton in the upcoming presidential election.

The ad by the Christian Action Network and others like it opened the flood gates to more so-called issue advocacy in later elections, resulting in the half-a-billion dollars in sham issue ads that influenced the 2000 elections.

Soft money and sham issue advocacy became predominant features of our campaign finance system even though neither was intended to play a role in our campaigns when the post-Watergate reform laws were written. The result? Last year approximately $1 billion in soft money contributions and sham issue ad expenditures influenced our federal elections. Many who oppose reform will argue that both soft money and sham issue ads are constitutionally protected and should be allowed to continue unfettered. I would like to take just a moment to address those arguments.

We have been told that the ability to donate hundreds of thousands of dollars in soft money is constitutionally protected. The truth is, banning soft money contributions does not violate the Constitution. The Supreme Court in Buckley held that limits on individual campaign contributions do not violate the First Amendment. If a limit of $1000 on contributions by individuals was upheld as constitutional, then a ban of contributions of $10,000, $100,000 or $1 million is also going to be upheld. It simply cannot be said that the First Amendment provides an absolute prohibition of any and all restrictions on speech. When state interests are more important than unfettered free speech, speech can be narrowly limited. Speech is limited in cases of false advertising and obscenity. In addition, we are not, as the saying goes, free to yell ''fire'' in a crowded movie theater. In those cases, there is a compelling reason to limit speech. Buckley, too, said that the risk of corruption or the appearance of corruption warranted limits on individual campaign contributions. Soft money contributions to political

parties can be limited for the same reason.

In addition, in Nixon v. Shrink Missouri PAC, the Supreme Court recently justified its decision to uphold a $1050 contribution limit for elections in Missouri, stating that it was concerned with ''the broader threat from politicians too compliant with the wishes of large contributors.'' It went on to say: ''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.'' I think the Supreme Court's language bodes well for the likelihood that a soft money ban will be upheld.

Likewise, I believe that the electioneering provisions of the bill will be upheld. It's a trickier case, but I would submit that the bright line test in McCain-Feingold satisfies the Supreme Court's holding in Buckley. The so-called ''magic words'' test of express advocacy has come to provide what is a wholly unworkable test that I believe was never the intention of the Court. The magic words test elevates form over substance, and in practice has proven meaningless. The proof of that is in the half-a-billion dollars in sham issue ads that were aired last year.

I would add that the test in this bill does not stop any advertisements. Advertisements that simply discuss issues, without naming candidates are always permissible. Advertisements that air within 30 days of a primary or 60 days of a general election can discuss issues, as long as the ads do not depict a particular candidate. And any advertisement can be aired at any time, as long as it is paid for with hard money.

A final argument opponents of reform like to make is that we spend less on campaigns than we do on potato chips or laundry detergent. But I would ask the proponents of this argument whether what we are seeking in our democracy is electioneering that has no more depth or substance than a snack food commercial. Because, despite the ever-increasing sums spent on campaigns, we have not seen an improvement in campaign discourse, issue discussion or voter education. More money does not mean more ideas, more substance or more depth. Instead, it means more of what voters complain about most. More thirty-second spots, more negativity and an increasingly longer campaign period. Less money might actually improve the quality of discourse, requiring candidates to more cautiously spend their resources. It might encourage more debates, as was the case in my own race against Bill Weld in 1996, and it would certainly focus the candidates' voter education efforts during the period shortly before the election, when most voters are tuned in, instead of starting the campaign 18 months before election day.

The American people don't buy the arguments made by opponents of reform. The American people want us to forge a better system. A national survey conducted by the Mellman Group in April of last year found that by a margin of 68 percent to 19 percent, voters favored a proposal that eliminates private contributions, sets spending limits and gives qualifying candidates a grant from a publicly financed election fund. That same survey also found that 59 percent of voters agree that we need to make major changes to the way we finance elections. But perhaps the most telling statistic from this survey is that overwhelming majorities think that special interest contributions affect the voting behavior of Members of Congress. Eighty-seven percent of voters believe that money impacts Members of Congress, with 56 percent expressing the belief that if affects the members ''a lot.'' Even when asked about their own representatives, the survey again found that voters overwhelmingly believed that money influenced their behavior. Eighty-two percent believe campaign contributions affect their own members, and 47 percent thought their representatives were affected ''a lot.''

McCain-Feingold is an important piece of legislation that begins to tackle the problems of soft money and issue advocacy I have outlined. I support this legislation, but I would note one serious shortcoming of the bill. It won't curb the rampant spending that drives the quest for money. Unfortunately, we all recognize that creating spending limits is not a simple proposition. In the 1996 Buckley case, the Supreme Court struck spending limits as an unconstitutional restriction of political speech. An important caveat to its decision is that spending limits could be imposed in exchange for a public benefit. I wish we had at our disposal a number of bargaining chips, public benefits that we could trade in exchange for spending limits. However, unless the Supreme Court reverses itself, something I am certainly not expecting in the near future, we must accept that if we want to limit the amounts spent on campaigns, we must provide candidates with some sort of public grant.

The votes we have taken on various amendments addressing public funding make it clear that a lot of my colleagues aren't ready to embrace public funding as a way to finance our campaigns. But it is, in my opinion, the best constitutional means to the important end of limiting campaign spending and the contributions that go with it. Ultimately, I believe in the potential of a system that provides full public funding for political candidates. I would also support a partial public funding system, such as the one I offered in an amendment to this legislation. That amendment would have freed candidates from the need to raise unlimited amounts of money by providing with ''liberty dollars'' in the form of a two-for-one match for small contributions, in exchange for the candidates agreeing to abide by spending limits. I believe that any system that reduces candidates' reliance on private money and encourages them to abide by spending limits will ultimately be the best way to truly and completely purge our system of the negative influence of corporate money.

Many of our states are already engaging in a grand experiment to see if full or partial public funding of campaigns serves the goals of reform. At the state level, politicians are learning that the cost of campaigns can be capped without reducing the effectiveness of a campaign. Challengers are becoming more competitive as their campaigns are infused with public money. Incumbents are learning that they can spend less time fundraising and more time governing if they avail themselves to public campaign funds. And our citizens are learning that their faith in the political process can be restored as money no longer appears to influence the political process.

I am pleased that my home state of Massachusetts is one of the states that is experimenting with a Clean Money, Clean Elections law. The law, which voters adopted by referendum in 1998, will go into effect this year and will provide candidates for state office with full public funding if they agree to abide by spending limits. A recent survey of voters across the state found that three-fourths support the law. I am optimistic that the majority will grow after the law is put to its first test during the upcoming elections.

It seems that Clean Money, Clean Elections laws are off to a good start in the states. But we need to know more about how well these programs work. That is why I am pleased that the managers of this bill accepted an amendment I offered that will require the GAO to examine the impact of Clean Money, Clean Elections laws in states where they have been enacted. Specifically, my amendment will require the GAO to determine more about the candidates who have chosen to run for public office using Clean Money, Clean Elections funds. It will provide us with concrete figures on which offices attract Clean Money, Clean Elections candidates, whether incumbents choose to use clean money, and the success rate of Clean Money candidates.

In addition, the GAO will be able to determine whether Clean Money, Clean Elections programs reduced the cost of campaigns, increased candidate participation or created more competitive primary or general elections.

We should encourage states to experiment with reform. I believe an objective study as required by this amendment will better enable leaders at the state level to evaluate the Clean Money, Clean Elections option. In the end, we may all learn that there is an important role for public financing in state and ultimately federal elections.

As I said before, this bill, which bans soft money, regulates sham issue ads, and provides a study for public funding systems provides a good first start to

reform, and I will therefore support it. I have one serious reservation about the bill, however, and that is its increase in the hard money limits. Although I fully understand the argument that the limits have not kept up with inflation, I am concerned that the increases in individual limits and, most especially, aggregate limits, do not take us in the right direction of decreasing the amount of money in elections. Moreover, this increase simply enables the tiniest percentage of the population that currently contributes large contributions to contribute even more. This increase does nothing at all to increase the role the average voter plays in our election process.

Nevertheless, the vote yesterday is a victory for reform—but it needs to be the first vote, not the last. I want to offer my congratulations to my friends RUSSELL FEINGOLD and JOHN MCCAIN on this victory for reform, passage of a bill that breaks free from the status quo and will help us restore the dwindling faith the average American has in our political system. For too long we've known that we can't go on leaving our citizens with the impression that the only kind of influence left in American politics is the kind you wield with a checkbook. This bill reduces the power of the checkbook and I am proud to support it.

STATEMENT OF INTENT

Mr. SPECTER. Mr. President, I concur with the statement of supporters of the Bipartisan Campaign Reform Act of 2001, with respect to the discussion of the intent of the Specter amendment.

VIOLENCE AND SUBSTANCE ABUSE

Mr. LEVIN. Mr. President, the Josephson Institute of Ethics, a nonpartisan, nonprofit organization, recently released its survey on violence and substance abuse in the United States. The survey finds that a disturbing number of young people have easy access to guns and have brought those guns and other weapons to school in the past year.

According to those surveyed, 47 percent of all high school students and 22 percent of all middle school students reported having easy access to guns. Of those students who reported drinking at school in the past 12 months, those with easy access to guns jumped to an astonishing 71 percent for high school students and 59 percent for middle school students.

Furthermore, 14 percent of high school students and 11 percent of middle school students admitted that they brought weapons to school in the past 12 months. Again, those numbers increased dramatically among students who also reported drinking at school at some point in the last year to 48 percent for high school students and 57 percent for middle school students.

Easy access to guns among our young people is dangerous, but access to guns paired with access to alcohol or drugs is recipe for disaster. And while the vast majority of students will be safe in their classrooms, our youth's easy access to firearms makes 36 percent of high school students and 39 percent of middle school students feel unsafe at school. Unfortunately, unless Congress and acts to curb youth access to guns, in some cases, that fear may become a reality for more and more students.

CONGRESSMAN NORMAN SISISKY

Mr. LIEBERMAN. Mr. President, I rise today to pay my respects to the memory of my dear friend, Congressman Norman Sisisky. Like many of my colleagues, I was shocked and saddened at hearing the news of his sudden passing last Friday. We have lost a respected and treasured colleague; the people of Virginia have lost one of the most committed and effective men ever to serve in the U.S. House of Representatives; and America has lost a distinguished member of what Tom Brokaw has called ''the greatest generation.''

Norm Sisisky was a classic example of the devoted public official our founders envisioned serving in ''the people's house.'' For Norm was a man of the people, someone who worked hard, played by the rules and maintained a steadfast commitment to his family and community.

That he excelled in politics is no surprise to those of us who knew him. He genuinely liked and respected people and they returned that with the trust and affection. His trademark grin and infectious laugh drew people to him. Norm never took himself too seriously, and always took great delight in good-natured banter.

But he did take his job seriously. He was an aggressive advocate for his constituents in Virginia's 4th Congressional district for the past 18 years. He never forgot his roots, and never wavered in his commitment to fighting for the little guy, and he never lost sight of his role as their voice in our great system.

But of all his many and important public accomplishments, Norm Sisisky was probably proudest of his service in the U.S. Navy, and of his advocacy in Congress for our servicemen and women. Those of us who have had the privilege of watching Norm battle on behalf of our armed services from his position on the House Armed Services Committee were always impressed by his extensive knowledge and his keen insight. And we were inspired by his determination to keep our defenses strong, even if we in the Senate occasionally had to face his formidable presence in disagreement in conference.

I will forever remember Norm Sisisky as a man of considerable skill, devotion, humor, and honor. He leaves behind a loving family, devoted friends, and a strong nation. That is his proud legacy.

CHILD ABUSE PREVENTION MONTH

Mr. FEINGOLD. Mr President, as we welcome the blooms of spring this April, we should also take a moment to focus on the well-being of our most precious resource, our children. Since 1983, April has been nationally recognized as Child Abuse Prevention Month. Since then, organizations like Prevent Child Abuse America have been passionate advocates for our children and have raised awareness of this egregious problem. In my own state of Wisconsin, the local chapter of Prevent Child Abuse America in Madison has been an effective leader in the fight against child abuse.

Child abuse is an urgent national problem. According to Prevent Child Abuse America, more than three million children were reported to child protective service agencies as alleged victims of child abuse or neglect in 1998, and about one million of these reports were confirmed. And these numbers just reflect those cases that were reported. Undoubtedly, many more cases go unreported.

Child abuse is not only physical harm, but it can also include emotional abuse and mental damage resulting from physical abuse. The documented physical and emotional harm to children includes chronic health problems, low self-esteem, physical disabilities, and the inability to form healthy relationships with others.

Protecting our children should be a national priority. I urge my colleagues and others to support child abuse prevention efforts to protect our nation's greatest resource, our children. Working together, we can help end child abuse.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 2, 2001, the Federal debt stood at $5,745,399,258,826.83, Five trillion, seven hundred forty-five billion, three hundred ninety-nine million, two hundred fifty-eight thousand, eight hundred twenty-six dollars and eighty-three cents.

Five years ago, April 2, 1996, the Federal debt stood at $5,120,563,000,000, Five trillion, one hundred twenty billion, five hundred sixty-three million.

Ten years ago, April 2, 1991, the Federal debt stood at $3,464,021,000,000, Three trillion, four hundred sixty-four billion, twenty-one million.

Fifteen years ago, April 2, 1986, the Federal debt stood at $2,005,753,000,000, Two trillion, five billion, seven hundred fifty-three million.

Twenty-five years ago, April 2, 1976, the Federal debt stood at $599,291,000,000, Five hundred ninety-nine billion, two hundred ninety-one million, which reflects a debt increase of more than $5 trillion, $5,146,108,258,826.83, Five trillion, one hundred forty-six billion, one hundred eight million, two hundred fifty-eight