

leases. My understanding is that nearly all of the recent monuments designated by the prior Administration are protected in this manner. Only one of the newly established monuments in Colorado has specific provisions in its proclamation that could potentially allow some type of oil or gas mining development. Unless the Congress or the President by executive action changes the terms of the original proclamation that established these monuments, these lands areas are protected. I would imagine that such changes would be difficult to approve.

The second reason I opposed this amendment is that I object to the process by which many of these monuments were designated by the previous Administration. If important land use issues like this one had been thoroughly evaluated during an open and fair public process prior to the monument designation, the Senate would not have to vote on this type of amendment. The use of the 1906 Antiquities Act is not an appropriate way to unilaterally cut off millions of acres of land from public use by fiat nor does it allow for the type of open and fair input to those living and working on and near those lands. Our democratic process should promote such procedural fairness and consultation.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein for up to 5 minutes each.

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

#### CAMPAIGN FINANCE REFORM

Mr. TORRICELLI. Mr. President, no matter what other issues are discussed in this Senate, what other concerns are brought before the body, the Nation's attention is turned again to the issue of campaign finance reform, the seemingly never-ending effort to restore integrity to this process and change the Nation's campaign finance laws.

In March, the Senate passed a comprehensive and workable piece of legislation; it required 2 weeks and 22 amendments. One of those amendments I offered together with my colleagues, Senator CORZINE, Senator DURBIN, and Senator ENSIGN. It was the other part of the equation: As we reduce the amount of money that is raised, to reduce the amount that must by necessity be spent.

Campaign spending in America is easily defined. It is used for television overwhelmingly: 80 or 85 percent of the cost of the Senate campaign goes to a television network.

This amendment was passed overwhelmingly by the Senate. I take the floor today because it is now in jeopardy. It is unconscionable, while the American people have demanded a control on the amount of political money

being spent in America, unconscionable while this Congress has fought for campaign finance reform, the broadcast industry is fighting to the death to reverse this amendment in the House of Representatives and allow the television networks to charge whatever they want to charge for political advertising.

I take the floor today as one who has voted for campaign finance reform since I came to the Congress 18 years ago. I have always voted for campaign finance reform. I always want to vote for it because I believe the system must be fundamentally changed to restore integrity to the system and gain the confidence of the American people.

I take the floor to make this very clear: Reducing campaign fundraising without reducing the cost of campaigns is not reform. That reduces the amount of communication. It makes it more difficult for the political parties and candidates to communicate their message. This cannot be reform. This is silencing political debate in America.

The bill that passed this Senate reduced the amount of soft money, eliminated the amount of soft money and, correspondingly, in a balanced fashion, dealt with this cost of advertising.

In 1971, the Congress believed we had faced this problem and required the charging of the lowest unit charge. Over 30 years, the law became ineffective. That is why I offered this amendment. This chart shows, by 1990, an audit by the FEC found that 80 percent of television stations were failing to give the lowest rate. These are examples from around the country. The price of a typical ad is a percent greater than the lowest rate that should have been offered: NBC in New York, 21 percent higher than by law should have been charged; WXYZ in Detroit, 124 percent; KGO, San Francisco, 62 percent higher than the lowest rate. These are the numbers that convinced 69 Democrats and Republicans in the Senate to pass this amendment.

The second reason for the amendment is that stations are charging candidates the lowest rate, looking back 365 days. So they cannot simply charge the lowest rate available on that day, which they were not doing anyway, but had to look back for what was the lowest rate during the course of the year. The fact is, the broadcast industry in America has been profiteering at the expense of the political system. There is not another democracy in the world where the public airwaves, licensed to private companies, are used for profiteering and price gouging when a public candidate attempts to communicate with people in the country.

The patterns are quite clear. This chart indicates the percentage of ads sold above or below the lowest unit cost per station. Below the unit rate, Philadelphia, KYW, 9 percent; Detroit, XYZ, 8 percent; Los Angeles, one of the better in the country, is only 63 percent. NBC in New York, 15 percent of their ads are sold in accordance with the 1971 law at the lowest unit rate.

It isn't that the law is not being obeyed; it is being violated wholesale. Compliance with the law is the rare, rare, exception.

Here is the magnitude of the problem. In the 2000 political season, political advertisers spent \$1 billion on television ads; \$1 billion was raised, fundraiser by fundraiser, mailer by mailer, telephone call by telephone call. And an extraordinary percentage of this advertising, if it had been paid for at the lowest unit rate, would have saved hundreds of millions of dollars in political fundraising.

My message out of this, I hope, is clear. I speak not to my colleagues, but I speak to the broadcast industry, to the network televisions, which since the 2000 Presidential campaign have carried on a campaign of their own, criticizing the political community, attacking individual candidates, railing against the problems of political fundraising.

Instead of being part of the problem, be part of the solution. Campaign finance reform does not simply mean the Democrat and Republican Parties. It means ABC, NBC, CBS. It means you. Get your lobbyists out of the House of Representatives, out of these Chambers, and be part of a solution of campaign finance reform. Allow a balanced piece of legislation to pass this Congress that deals with this problem.

The National Association of Broadcasters has been fighting against this provision in an exercise of their own greed on two myths: First, that this will lead to perpetual campaigns because the low rates will mean this will go on and on forever in advertising.

That simply is not the case. The look-back will only allow the lowest rates for 365 days. Mr. SHAYS and MEEHAN have only proposed 180 days. That is the extent, in the primary season, campaigns are taking place anyway. The campaigns will not be longer; they will just be less expensive. And that is the problem for the broadcasters.

Second, that this is somehow unconstitutional, that we are taking private property. For 30 years this has already been the law. The broadcasters, as a condition of their license, are required to do public broadcasting, sometimes children's broadcasting. They comply with all kinds of Federal requirements as a condition of having a public license. This is one more, but it is not even a new requirement. For 30 years we have required them to sell at the lowest unit rate. They simply are not doing it. We are just strengthening the law; we are not fundamentally changing the law.

Third, they allege the amendment could force a TV station to sell a 30-second spot during a prime time television show for a de minimus amount of money. Actually, that would not be bad if it were true, but it is not. The FCC, in mediating pricing disputes under the law as it now stands, has always taken viewership levels into account, that they must be comparable.

You cannot take a 2 o'clock in the morning television show that sells at a discount rate and compare it with prime time. It simply is not true.

Fourth, the broadcasters say lowering the costs of candidate advertising will result in candidates running more ads. As my friend MITCH MCCONNELL commented on occasion, the Nation does not suffer from too much political discussion. It would not be a bad thing if there were more advertising, discussing more issues. But that is probably not the result of this amendment. It simply means candidates will raise less money because of campaign finance reform and hopefully be able to have the same amount of advertising because rates are lower.

This is all part and parcel of eliminating a major source of revenue for the broadcasters, and that is the problem. Political advertising is a paid form, in my judgment, of community service. This is not running a public service ad for the Boy Scouts, but it should not be akin to charging General Motors to advertise a new car either. And that is exactly what has happened.

Here, political ads have now become the third highest source of revenue for the broadcasters. In 1998, the automobile industry was the source of 25 percent of advertising dollars in America. Political candidates, using the public airwaves to discuss public policy issues under campaign finance law restrictions, are 10 percent of advertising dollars in America. This is growing faster than any other component of advertising in the Nation. Political advertising is not an industry; it is how we conduct public policy in a democracy. That is why we have offered this amendment as well.

This legislation will be voted upon in the House of Representatives in only another day. The House of Representatives has a choice that was before this Senate. The national broadcasters have spent \$19 million since 1996 to lobby this Congress. They have spent \$11 million to defeat no fewer than 12 campaign finance bills that would have reduced the cost of candidate advertising. It is unconscionable and it is wrong. It is also hypocrisy. The very news departments and executives that come to this Congress and complain about the state of politics in America, the lack of public confidence, the declining levels of integrity in the public discourse because of campaign fundraisers, are now a principal obstacle to reform.

I want to vote for McCain-Feingold when that legislation returns to this Senate after a conference, but I will make it very clear: Restricting campaign fundraising with no restriction on the cost of campaign advertising, in the region of the country in which I live, and Los Angeles and Chicago and Miami and Boston and other large cities in America, means that candidates will not be able to communicate with the public. There will be no independent means of the political parties

actually getting their message to American voters.

I am prepared to vote to limit campaign spending, to eliminate soft money, but the test, in my judgment, at least for the region of the country in which I live, is whether we can overcome this hurdle of the broadcasters as well.

Mr. President, I hope the House of Representatives meets its responsibility. I hope we can get a bill that in good conscience many of us in the Senate can vote to support.

I yield the floor.

#### H-2A REFORM

Mr. BURNS. Mr. President, I rise today to express my support of the Agriculture Job Opportunity, Benefits, and Security Act of 2001. I am proud to join my colleague Senator CRAIG as a cosponsor of this important legislation.

I am a strong believer that American workers should have the first chance to have American farm and ranch jobs. However, when there are not enough American workers, our agricultural producers should be able to find farmworkers elsewhere. Under the current H-2A agricultural guest worker program, producers are required to go through a lengthy, uncertain, and undoubtedly costly process to demonstrate to the Federal Government that American workers are not available in order to gain authorization for guest workers. During this long process, Montana crops are not being harvested and cattle and sheep herds are not being tended to the degree they require. A General Accounting Office study recently found that the Government's inefficiency in processing such claims discourages use of the program. As a result, the Federal Government estimates that only half of this country's 1.6 million agricultural workers are authorized to work in the U.S., and the figure may be higher since the estimate is based on self-disclosure by illegal workers.

Let me give you an example of how H-2A reform will benefit real producers. We have a number of large sheep operations in Montana. All of these sheep need to be sheared in the spring of the year, and as any sheep rancher will tell you, this is a job that needs to be done quickly, safely, and accurately. Shearers need to pay close attention to detail, lest sheep could be severely injured. With the number of sheep ranches in this country dwindling, there are few Americans who shear professionally, so guest workers from countries such as Argentina must be brought in to do the job. Reform of the H-2A program would make this process easier for our sheep producers.

It is high time we reformed the H-2A program. This legislation will replace the current system with a more efficient process for certification of H-2A employers looking to hire agricultural guest workers. It will also replace the current, unrealistic premium wage

mandated for H-2A employers with the standard, minimum wage. Employers will continue to furnish housing and transportation to H-2A workers.

This bill makes sense for producers in Montana, Senator CRAIG's home State of Idaho, and other agricultural States across the country. It also provides a better environment for our guest workers. I look forward to working with my colleagues on this important legislation.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred January 14, 1999 in El Dorado, AR. Thomas Gary, 38, was run over by a truck he owned after he suffered a blow to the head and shotgun injuries that killed him. Chuck Bennett, 17, who has been charged with the crime, claimed that Gray made a sexual advance toward him.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, July 10, 2001, the Federal debt stood at \$5,710,436,329,428.99, five trillion, seven hundred ten billion, four hundred thirty-six million, three hundred twenty-nine thousand, four hundred twenty-eight dollars and ninety-nine cents.

One year ago, July 10, 2000, the Federal debt stood at \$5,662,950,000,000, five trillion, six hundred sixty-two billion, nine hundred fifty million.

Five years ago, July 10, 1996, the Federal debt stood at \$5,148,771,000,000, five trillion, one hundred forty-eight billion, seven hundred seventy-one million.

Ten years ago, July 10, 1991, the Federal debt stood at \$3,533,712,000,000, three trillion, five hundred thirty-three billion, seven hundred twelve million.

Fifteen years ago, July 10, 1986, the Federal debt stood at \$2,071,214,000,000, two trillion, seven-one billion, two hundred fourteen million, which reflects a debt increase of more than \$3.5 trillion, \$3,639,222,329,428.99, three trillion, six hundred thirty-nine billion, two hundred twenty-two million, three hundred twenty-nine thousand, four hundred twenty-eight dollars and ninety-nine cents during the past 15 years.