

Owens	Rush	Sweeney
Oxley	Ryan (WI)	Tanner
Pastor	Ryun (KS)	Tauscher
Paul	Sandlin	Tauzin
Payne	Sawyer	Taylor (NC)
Pelosi	Saxton	Terry
Pence	Schakowsky	Thomas
Peterson (PA)	Schiff	Thornberry
Petri	Scott	Thune
Phelps	Sensenbrenner	Thurman
Pickering	Serrano	Tiahrt
Pitts	Sessions	Tiberi
Pombo	Shadegg	Tierney
Pomeroy	Shaw	Toomey
Portman	Shays	Towns
Price (NC)	Sherman	Turner
Pryce (OH)	Sherwood	Udall (CO)
Putnam	Shimkus	Upton
Quinn	Shows	Velazquez
Radanovich	Shuster	Vitter
Rahall	Simmons	Walden
Rangel	Simpson	Walsh
Regula	Skeen	Wamp
Rehberg	Skelton	Watkins (OK)
Reyes	Slaughter	Watson (CA)
Reynolds	Smith (MI)	Watt (NC)
Rivers	Smith (NJ)	Watts (OK)
Rodriguez	Smith (TX)	Waxman
Roemer	Smith (WA)	Weiner
Rogers (KY)	Snyder	Weldon (PA)
Rogers (MI)	Solis	Wexler
Rohrabacher	Souder	Whitfield
Ros-Lehtinen	Spratt	Wilson (NM)
Ross	Stark	Wilson (SC)
Rothman	Stearns	Wolf
Roukema	Stenholm	Woolsey
Roybal-Allard	Stump	Wynn
Royce	Sununu	

NAYS—40

Aderholt	Kennedy (MN)	Sanchez
Borski	Kucinich	Schaffer
Brady (PA)	Larsen (WA)	Strickland
Capuano	LoBiondo	Stupak
Costello	McDermott	Taylor (MS)
Crane	McNulty	Thompson (CA)
DeFazio	Moore	Thompson (MS)
English	Oberstar	Udall (NM)
Etheridge	Pallone	Visclosky
Everett	Pascrell	Waters
Filner	Peterson (MN)	Weller
Gutknecht	Platts	Wicker
Hefley	Ramstad	
Hilliard	Sabo	

NOT VOTING—16

Callahan	Meek (FL)	Weldon (FL)
Clay	Riley	Wu
Cubin	Sanders	Young (AK)
Ehrlich	Schrock	Young (FL)
Houghton	Tancredo	
Lipinski	Trafficant	

□ 1027

Mrs. CAPPS changed her vote from “nay” to “yea.”

So the Journal was approved.

The result of the vote was announced as above recorded.

MOTION TO ADJOURN

Mr. LEWIS. Mr. Speaker, I move that the House do now adjourn.

PARLIAMENTARY INQUIRY

Mr. FOLEY. Mr. Speaker, if this is the most important bill to be sent to the floor by discharge petition by the minority, then why is it they call for adjournment on the day of the bill's presentation on the floor?

The SPEAKER pro tempore (Mr. CULBERSON). The gentleman from Florida is recognized for a proper parliamentary inquiry. The gentleman will state his inquiry.

Mr. FOLEY. Mr. Speaker, does the bill, as presented under the rule, comply with the dictates of the discharge petition, or are we operating under a substitute version?

The SPEAKER pro tempore. The House is operating under the terms of House Resolution 344.

A motion to adjourn has been offered, and it is not debatable. The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. LEWIS of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 13, noes 405, not voting 16, as follows:

[Roll No. 18]

AYES—13

Cannon	Jones (NC)	Skeen
Cummings	Kingston	Tiahrt
Flake	Otter	Towns
Gilman	Ryun (KS)	
Johnson, Sam	Sessions	

NOES—405

Abercrombie	Condit	Goss
Ackerman	Conyers	Graham
Aderholt	Cooksey	Granger
Akin	Costello	Graves
Allen	Cox	Green (TX)
Andrews	Coyne	Green (WI)
Arney	Cramer	Greenwood
Baca	Crane	Grucci
Baird	Crenshaw	Gutierrez
Baker	Crowley	Gutknecht
Baldacci	Culberson	Hall (OH)
Baldwin	Cunningham	Hall (TX)
Ballenger	Davis (CA)	Hansen
Barcia	Davis (FL)	Harman
Barr	Davis (IL)	Hart
Barrett	Davis, Jo Ann	Hastings (FL)
Bartlett	Davis, Tom	Hastings (WA)
Barton	Deal	Hayes
Becerra	DeFazio	Hayworth
Bentsen	DeGette	Hefley
Bereuter	Delahunt	Herger
Berkley	DeLauro	Hill
Berman	DeLay	Hilleary
Berry	DeMint	Hilliard
Biggert	Deutsch	Hinchey
Bilirakis	Diaz-Balart	Hinojosa
Bishop	Dicks	Hobson
Blagojevich	Dingell	Hoeffel
Blumenauer	Doggett	Hoekstra
Blunt	Dooley	Holden
Boehlert	Doolittle	Holt
Boehner	Doyle	Honda
Bonilla	Dreier	Hooley
Bonior	Duncan	Horn
Bono	Dunn	Hostettler
Boozman	Edwards	Houghton
Borski	Ehlers	Hoyer
Boswell	Emerson	Hulshof
Boucher	Engel	Hyde
Boyd	English	Inslee
Brady (PA)	Eshoo	Isakson
Brady (TX)	Etheridge	Israel
Brown (FL)	Evans	Issa
Brown (OH)	Everett	Istook
Brown (SC)	Farr	Jackson (IL)
Bryant	Fattah	Jackson-Lee
Burr	Ferguson	(TX)
Burton	Filner	Jefferson
Buyer	Fletcher	Jenkins
Calvert	Foley	John
Camp	Forbes	Johnson (CT)
Cantor	Ford	Johnson (IL)
Capito	Fossella	Johnson, E. B.
Capps	Frank	Jones (OH)
Capuano	Frelinghuysen	Kanjorski
Cardin	Frost	Kaptur
Carson (IN)	Gallegly	Keller
Carson (OK)	Ganske	Kelly
Castle	Gekas	Kennedy (MN)
Chabot	Gephardt	Kennedy (RI)
Chambliss	Gibbons	Kerns
Clayton	Gilchrest	Kildee
Clement	Gillmor	Kilpatrick
Clyburn	Gonzalez	Kind (WI)
Coble	Goode	King (NY)
Collins	Goodlatte	Kirk
Combest	Gordon	Klecza

Knollenberg	Northup	Sherwood
Kolbe	Norwood	Shimkus
Kucinich	Nussle	Shows
LaFalce	Oberstar	Shuster
LaHood	Obey	Simmons
Lampson	Olver	Simpson
Langevin	Ortiz	Skelton
Lantos	Osborne	Slaughter
Largent	Ose	Smith (MI)
Larsen (WA)	Owens	Smith (NJ)
Larson (CT)	Oxley	Smith (TX)
Latham	Pallone	Smith (WA)
LaTourette	Pascrell	Snyder
Leach	Pastor	Solis
Lee	Paul	Souder
Levin	Payne	Spratt
Lewis (CA)	Pelosi	Stark
Lewis (GA)	Pence	Stearns
Lewis (KY)	Peterson (MN)	Stenholm
Linder	Peterson (PA)	Strickland
Lipinski	Petri	Stump
LoBiondo	Phelps	Stupak
Lofgren	Pitts	Sununu
Lowey	Platts	Sweeney
Lucas (KY)	Pombo	Tanner
Lucas (OK)	Pomeroy	Tauscher
Luther	Portman	Tauzin
Lynch	Price (NC)	Taylor (MS)
Maloney (CT)	Pryce (OH)	Taylor (NC)
Maloney (NY)	Putnam	Terry
Manzullo	Quinn	Thomas
Markey	Radanovich	Thompson (CA)
Mascara	Rahall	Thompson (MS)
Matheson	Ramstad	Thornberry
Matsui	Rangel	Thune
McCarthy (MO)	Regula	Thurman
McCarthy (NY)	Rehberg	Tiberi
McCollum	Reyes	Tierney
McDermott	Reynolds	Toomey
McGovern	Rivers	Turner
McHugh	Rodriguez	Udall (CO)
McInnis	Roemer	Udall (NM)
McIntyre	Rogers (KY)	Upton
McKeon	Rogers (MI)	Velazquez
McKinney	Rohrabacher	Visclosky
McNulty	Ros-Lehtinen	Vitter
Meehan	Ross	Walsh
Meeks (NY)	Rothman	Walden
Menendez	Roukema	Wamp
Mica	Roybal-Allard	Waters
Millender	Royce	Watkins (OK)
McDonald	Rush	Watson (CA)
Miller, Dan	Ryan (WI)	Watt (NC)
Miller, Gary	Sabo	Watts (OK)
Miller, George	Sanchez	Waxman
Miller, Jeff	Sanders	Weiner
Mink	Sandlin	Weldon (FL)
Mollohan	Sawyer	Weldon (PA)
Moore	Saxton	Weller
Moran (KS)	Schaffer	Wexler
Moran (VA)	Schakowsky	Whitfield
Morella	Schiff	Wicker
Murtha	Scott	Wilson (NM)
Myrick	Sensenbrenner	Wilson (SC)
Nadler	Serrano	Wolf
Napolitano	Shadegg	Woolsey
Neal	Shaw	Wu
Nethercutt	Shays	Wynn
Ney	Sherman	

NOT VOTING—16

Bachus	Hunter	Tancredo
Bass	McCrery	Trafficant
Callahan	Meek (FL)	Young (AK)
Clay	Pickering	Young (FL)
Cubin	Riley	
Ehrlich	Schrock	

□ 1045

Mrs. JONES of Ohio changed her vote from “aye” to “no.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. CULBERSON). Will the gentleman from Virginia (Mr. CANTOR) come forward and lead the House in the Pledge of Allegiance.

Mr. CANTOR led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2356.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

BIPARTISAN CAMPAIGN REFORM ACT OF 2001

The SPEAKER pro tempore. Pursuant to House Resolution 344, the House now resolves itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2356.

□ 1048

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Chairman, I yield myself such time as I may consume.

This is going to be a long debate today, and tonight, and I do believe that is good. The legislation we are debating is extremely important. The last time this Congress passed significant campaign finance reform legislation was 27 years ago. We could be living with the consequences of any bill we pass today for decades to come. That is important, I think, for the challengers across this Nation, the men and women who want to aspire to be able to speak on the floor of this House. So what we are doing is important for our energetic give and take of public debate.

Today, as in any debate, a lot of claims are going to be made about the various bills and amendments. I think right at the outset, before we get under way, we ought to define our terms. We are going to hear a lot tonight about a ban—let me repeat that, a ban—on soft money. According to Webster's dictionary, to ban means to prohibit the use, performance or distribution of. In politics, we often contort language, but I would like to make it plain and clear, the bill under consideration today,

H.R. 2356, the Shays-Meehan bill, does not ban soft money under any definition or under any stretch of the imagination. I am certain that we will hear otherwise from some of our colleagues today, but the fact is anyone who tells you that this version, I believe this is the fourth version of what I call an altered state of a piece of legislation, that this version of Shays-Meehan bans soft money is simply not telling you the truth and is not being accurate.

It could be argued that previous versions of Shays-Meehan did ban soft money. H.R. 380, the bill the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) introduced last January, and the versions of Shays-Meehan approved by this House in years past, did ban soft money donations to political parties. I would argue that even those bills were not real, true soft money bans because they did nothing to restrict how unions, corporations and wealthy individuals spent soft money. Those bills did ban soft money donations, but not soft money expenditures. So whether or not earlier Shays-Meehan bills really banned soft money could be debated.

What cannot be debated, however, is the simple fact that this newest version of Shays-Meehan fails to ban soft money, again under any definition. It cannot even be seriously argued that H.R. 2356 bans soft money. Anyone who claims that it does is either deliberately misrepresenting the facts, or they just do not know what is in this new piece of legislation.

The difference between H.R. 2356 and the previous versions of Shays-Meehan is that H.R. 2356 now permits political parties to accept soft money donations. Even if this bill were to be adopted today, unions, corporations and wealthy individuals could still donate massive amounts of soft money to State and local political parties. These donations are permitted up to \$10,000 and can be made to every State and local party in the country. With over 3,000 counties in the United States, this means that a corporation or a union, or Enron, because we have talked about that a lot in the last couple of weeks for emotional purposes, could donate up to \$30 million to one political party provided they spread it around the country. If somebody wanted to give to both parties, they could give up to \$60 million, provided they spread it around the country.

We are going to hear a lot of talk about Enron today and how the Enron debacle demonstrates the need for campaign finance reform. There are two things to say about that. Even if this bill had been law, it would not have prevented the Enron collapse. Unfortunately, I have had constituents that have called me up and said, is it true what I am hearing on TV, what is being insinuated, that people's money could have been saved from the terrible things that the corporate top of the ladder did to people? This bill, if passed, would not have changed that.

Let us not fool the American public to make them think that people could get their money back. All the money that Enron gave could still have been given even if this bill were law.

Some will say, well, they could not have given it to the national parties. Ask yourself, does it really matter? If a company wants to influence the political process by spreading a lot of money around, does it really matter if the money is given to a national party instead of a State party? Are we to believe that if a company was giving millions of dollars in contributions to a political party, its influence would somehow be diminished because it spread the money around to a lot of State parties instead of simply giving it to a national party? I do not think so. All this bill does is spread soft money around the country. It redirects it. It does not ban it.

This bill also imposes a number of serious restrictions of political speech. It prevents an organization from spending its own money promoting a message its members believe in if they happen to mention a candidate in the 60 days before an election. That is not America. That is not free speech. Whether it is the left, the middle or the right, people should not be gagged in this country, and they are gagged under this bill.

Supporters of the bill will argue that they do not restrict free speech at all, they simply require that it be funded with hard dollars. Let there be no mistake, this bill, the Shays-Meehan bill, burdens free expression and free speech. To claim that it is not a burden is to simply misrepresent the facts of this bill.

It has been said that to give people a right to unlimited freedom of expression while limiting the amount they can spend promoting their message is like telling someone they can drive as far as they want, but they can only spend a certain amount on gasoline to get them there. Well, telling people they can speak as much as they want so long as they use hard money is like telling people they can drive as far as they want, but they can only buy one gallon of gas at a time. Even worse, it is like telling them they cannot use their own money to buy the gas, but can only use money that they are able to raise from people they run into along the way. Could it really be argued that such burdens did not restrict travel? I do not think so. But proponents of the Shays-Meehan legislation want to put similar burdens on free speech and then claim they have not restricted free speech. It is obviously simply not accurate.

This is going to be a long debate today. I look forward to it. As we proceed, I hope Members will listen to the substance of the provisions being put forward. Shays-Meehan has retained the brand name, but the quality of the product has totally changed. Today we are going to have a good opportunity to debate and consider what this legislation would actually do. I look forward to that debate.