and into the rural countryside. This pattern of development is altering the character of our state by diminishing both its traditional villages and surrounding open farms and forests. It also has a significant impact on local and state budgets as expensive new schools and roads are built to service these new neighborhoods.

Your initiative would provide important federal funds to be matched by state and private dollars. As you know, Maine voters showed their strong support for conserving open land when they overwhelmingly endorsed the $50 million Land for Maine's Future bond in 1999. Furthermore, the success of Maine's 88 land trusts (perhaps the highest number of trusts per capita in the nation) is a testament to Mainers' commitment to maintaining the rural character of the state. Your proposal would help leverage hard-won public and private dollars.

I was particularly pleased to learn that your proposal would complement the Forest Legacy Program. Forest Legacy has been a critically important source of federal funds for conserving large tracts of Maine's northwoods. Its continuation is vital.

Thank you ever so much for your creative leadership and hard work on behalf of land conservation efforts in Maine and across America.

Sincerely,

JAMES J. ESPY,
President.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of H.R. 2646, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

The PRESIDING OFFICER. Under the previous order, all after the enacting clause is stricken and the text of S. 1731, as amended, is inserted in lieu thereof.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill was to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. LUGAR. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) and the Senator from Utah (Mr. BENNETT) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 40, as follows:

[Rollcall Vote No. 30 Leg.]

YEAS—58

Akaka	Durbin	Miller
Allen	Edwards	Murray
Baucus	Feingold	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Biden	Fitzgerald	Reed
Bingaman	Graham	Reid
Boxer	Grassley	Rockefeller
Breaux	Harkin	Sarbanes
Byrd	Hollings	Schumer
Cantwell	Inouye	Sessions
Carnahan	Jeffords	Shelby
Carper	Johnson	Snowe
Cleland	Kennedy	Specter
Clinton	Kerry	Stabenow
Collins	Kohl	Torricelli
Conrad	Landrieu	Warner
Daschle	Leahy	Wellstone
Dayton	Levin	Wyden
Dodd	Lieberman	
Dorgan	Mikulski	

NAYS—40

Allard	Frist	McConnell
Bond	Gramm	Murkowski
Brownback	Gregg	Nickles
Bunning	Hagel	Roberts
Burns	Hatch	Santorum
Campbell	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cochran	Hutchison	Stevens
Corzine	Inhofe	Thomas
Craig	Kyl	Thompson
Crapo	Lincoln	Thurmond
DeWine	Lott	Voinovich
Ensign	Lugar	
Enzi	McCain	

NOT VOTING—2

Bennett	Domenici

The bill (H.R. 2646) was passed.

[The bill will appear in a future edition of the RECORD.]

Mr. LUGAR. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendments and requests a conference with the House on the disagreeing votes of the two Houses.

The majority leader.

ORDER OF PROCEDURE

Mr. DASCHLE. Mr. President, I ask unanimous consent that there be a period for morning business until 2:30 p.m. today, with 60 minutes under the control of Senator BYRD and the remaining time controlled equally between Senators BROWNBACK and TORRICELLI or their designees, and that at 2:30 p.m. today the Senate begin consideration of Calendar No. 239, S. 565, the election reform bill.

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

The Senator from New Jersey.

CAMPAIGN FINANCE REFORM

Mr. TORRICELLI. Mr. President, the Congress may now be closer to comprehensive campaign finance reform than at any time in 30 years. It holds the promise of restoring public confidence by reducing the amount of money flowing into American politics while simultaneously reducing the costs of campaigns themselves. It gives a fair chance to challengers, an opportunity for people to bring different ideas and a broader national debate because we end the dominance of special interests money.

This can be an extraordinary, even historic week in the life of the Congress. But the well-crafted balance reached in the Senate is now in jeopardy. Campaign finance reform has meant a change in various institutions within our political culture. One of those institutions is resisting the change. I am speaking of the network broadcast industry. Just as political candidates would be challenged under the law to raise less money under stricter limits, and the political parties would operate under different rules, and the American people would operate under more restrictions to assure that money did not dominate the process, the broadcast industry, operating under Federal license in the use of the public airways, would be challenged to reduce the costs of advertising for Federal campaigns.

The Congress could have insisted on free air time. We could have insisted that time be made available for public debate as in many of the great democracies of Western Europe. Our request was much more modest. Indeed, our request was to put into law that which we believe we had done 30 years ago anyway. In 1971, Congress required that the networks provide advertising rates at the lowest unit rate. Through evasion, by finding loopholes in the law, the television networks have evaded their responsibility under the law.

Senators CORZINE, DURBIN, ENZI, and many of my colleagues offered an amendment on the floor of the Senate, adopted 69 to 31, on a bipartisan basis, requiring once again that the networks provide television advertising at the lowest unit rate in the period immediately before a primary and general election. We did this because a 1990 audit by the FCC found that 80 percent of network television affiliates were failing to make time available as required by law at the lowest unit rate, meaning that a typical candidate ad sold for 65 percent more than what should have been charged—65 percent higher costs than should have been required had the law been followed.

If in this debate on campaign finance reform we lower the amount of money raised without lowering the costs of the campaigns themselves, we will have achieved very little. The best funded incumbents will always find the resources to advertise. The question is, What about those candidates for Federal office who do not represent popular ideas or powerful interests? And what of the challengers who would challenge the status quo, represent new ideas or sometimes unpopular ideas? They will never have the resources to enter into the national political debate.

The goal of campaign finance reform is not to lessen the national debate. It is not to bring less political discussion to the country. It is to have a more vibrant debate, of more varied ideas, less

represented by the requirement of political fundraising.

If, indeed, the national broadcasters, represented by millions of dollars' worth of lobbying—and, ironically, the use of their own political contributions—succeed in removing this provision from campaign finance reform, not only have we achieved very little but we add a new distortion to the national political debate.

In the New York metropolitan area, it is not uncommon to charge $30,000, $40,000, and $50,000 for a 30-second ad. How will these ads be purchased? This applies in Chicago or Los Angeles or Miami or Boston. We have eliminated soft money; we are adding restrictions to reduce the amount of money. The simple truth is, most candidates will not be able to afford them at all.

The costs have not stopped rising. Since 1996, the cost of political advertising in some jurisdictions has increased another 30 percent, and it will keep rising as candidates compete not with each other for time but with General Motors or Ford or General Foods or Procter & Gamble.

What have we done to our political system when candidates have to raise money in obscene amounts, from hundreds of thousands of Americans, to buy the public air time on federally licensed stations, air time that belongs to the American people, in order to communicate in the middle of a Federal campaign public policy issues? There is no other Western democracy that has such a system because no one else would tolerate it—and neither should we.

How is it that American politics has deteriorated into this endless spiral of campaign finance, where candidates should be spending their time thinking of new ideas, challenging each other for the Nation's future, where Members of Congress should spend their time legislating, spend time with the American people who have problems—not just the American people who have money?

How did we get here? How did it happen? It is not by chance. In the average Senate campaign, 85 percent of the money raised is going to the television networks. Every year, it is a larger percentage; every year, a higher bill. Yet the broadcasters are arguing that this is unconstitutional—we are taking their property.

For 30 years there has been a requirement that they make the lowest unit rate available. If it was constitutional then, it is constitutional now. They just evaded the law. Every one of them, when they got a Federal license to broadcast, agreed to comply with Federal law and to serve a public purpose. This is no taking. They still will be able to charge exorbitant fees, just the same fees they are charging other corporate customers at different times of the year. We have a right to do it. There is a precedent to do it. And it is fair to put these restrictions on broadcasters.

Second, they say this will lead to perpetual campaigns, reducing the cost of advertising so there is nothing but campaigns, year to year, year after year, all year. The legislation passed by the Senate only makes the lowest unit rate available 45 days before a primary and 60 days before a general election. There are no perpetual campaigns. The time limits are actually quite strict.

Then the broadcasters argue that this is such an onerous burden that they can financially not survive, they can't deal with the cost of making the lowest unit rate available. They are charging political candidates $1 billion to advertise. It is estimated that this will be a reduction of $250 million. I believe the networks, still collecting three-quarters of a billion dollars in political advertising, are doing quite well by this system.

Indeed, the reduction from making the lowest unit rate available would equal less than 1 percent of the $41 billion in ad revenue. If every other segment of our society can deal with change in order to restore integrity in this political process—the political parties forego soft money, Federal candidates eliminate soft money, the American people live with these restrictions, American business accepts these restrictions—can the broadcasters themselves under Federal license, challenged to use the airwaves for the public good, not accept a 1-percent reduction in ad revenue?

It is an extraordinary irony that the media, having rightfully challenged the Congress to change the political fundraising system, having put so much scrutiny on campaign fundraising, has played a vital role in bringing us to this historic moment. But what an irony. While the network anchors rail against the campaign finance system, challenging the Congress to change it, their corporate executives pay millions of dollars in lobbying fees, as we speak, to lobbyists who line the Halls of the House of Representatives, and PAC directors who use the leverage of their political contributions to attempt to intimidate the Congress into eliminating them from this process of change.

I hope this provision of campaign finance reform remains intact. But, if it fails, this Senate will face a difficult moment: The specter of a new campaign finance system in which the amount of money raised will be dramatically reduced, but the cost of the campaigns themselves will continue to dramatically rise.

I recognize that most Members of this Senate can adjust to the new system. Powerful incumbents will find the means to raise the money. But what of the young man or woman who has different ideas, one who represents no powerful interests, who may not live in a State of great wealth or come from a wealthy family? They, too, would like to serve in the Senate. They, too, have contributions to make to our political system. They, too, believe in our country. There is a chance that by the reforms that we passed they will be silenced; for who among them, in raising campaigns funded only by hard money, with access to no other resources, can pay their share of the $1 billion in advertising costs that are the modern equivalent of a gold soap box that the Founding Fathers would have had as a restriction to the exercise of free speech?

What free speech is there, what kind of open political system do we have, if the only means of running for public office is purchasing the gold soap box of our time, a $1 billion price of entry to the network television affiliates? Indeed, that is no free speech at all. That is not an open, competitive political process.

So the next great hurdle of campaign finance reform is now. Do we hold firm, those 69 of us on a bipartisan basis who insisted that as fundraising is controlled, so, too, must be the costs?

I ask my colleagues to remain committed, not for themselves or their interests but for those who would follow us and for those who believe this political system is open and fair to all those who wish to serve their country in the years to come.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MILLER). Without objection, it is so ordered. The Chair recognizes the Senator from West Virginia.

WAR ON TERRORISM

Mr. BYRD. Mr. President, in his State of the Union address on January 29, President Bush reminded the nation, at great length and in great detail, that we are a nation at war, and that we will stop at nothing to rid the world of terrorism.

His words were stirring, his message sweeping.

The war on terror, he said, has only begun:

> Tens of thousands of trained terrorists are still at large. These enemies view the entire world as a battlefield, and we must pursue them wherever they are.

Strong words—strong words indeed.

The President outlined an ambitious agenda for the war against terrorism: first, to shut down terrorist camps, disrupt terrorist plans, and bring terrorists to justice. Second, to prevent terrorists and regimes that seek chemical, biological or nuclear weapons from threatening the United States or the world. The President singled out three such regimes—Iran, Iraq, and North Korea—describing them as an ''axis of evil'' that is posing a grave and growing danger to the world.

The President's speech laid out a sweeping plan for the U.S. response to