

provided further that following the use or yielding back of time, the bill be read a third time and the Senate proceeded to a vote on passage, with no intervening action or debate.

The PRESIDING OFFICER (Mr. ENSIGN). Is there objection?

Mr. REID. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, first of all, I want the RECORD spread with the fact of the work Senator McCain did with my friend, and his friend, Senator FEINGOLD, in the now famous legislation, McCain-Feingold.

In my 1998 race that I was involved in with the Presiding Officer of the Senate, I spent \$10 million, in the small State of Nevada. My friend, the junior Senator from Nevada, spent the same amount of money. It was equal spending. But the vast majority of that money we spent in Nevada in that hotly contested race was corporate money.

McCain-Feingold solved that problem. When I ran in 2004, as I have told other people, it was as if I had just climbed out of a shower and was clean and fresh. I did not have to accept corporate money, which I believe did not corrupt me, but it was corrupting when you could get these large sums of money, legally, and run them through the State parties and then run these negative ads that we all did around the country.

So I think McCain-Feingold personally was a tremendous blow for freedom and civility in this country. And I will always be grateful to Senators McCain and FEINGOLD for that work.

I have listened to—I was not able to listen to all of my friend's remarks, but most of them I listened to in my office and here. And I say that I believe we have to have a full review of all campaign finance laws. Mr. President, 527s is only part of what I think we need to take a look at. There are foundations that need to be looked at. Some of the things going on with political action committees we need to take a look at. There are a lot of things we need to take a look at. I think at the appropriate time that should be done.

Now, I say to my friend who makes this unanimous-consent request, we have a bill pending in the Rules Committee requiring 527s to register as political action committees.

Now, we have a letter dated June 9 to Senator FRIST, the majority leader, from one, two, three, four, five, six, seven Republican Senators who say, among other things: We oppose taking any action on this bill, S. 2511. And they state specifically that they do not like it. So I am not sure it could be cleared on your side. It cannot be cleared on our side.

I would, on that basis, object and look forward to working with my friend to see if we can do a better job in looking at all the campaign finance problems that we have all at one time, not just 527s. So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I ask unanimous consent that the letter to the majority leader dated June 9 of this year be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. SENATE,  
Washington, DC, June 9, 2006.

Hon. BILL FRIST,  
Majority Leader, The Capitol,  
Washington, DC.

DEAR MAJORITY LEADER FRIST. As Republicans, we strongly believe in freedom, including freedom of expression and association. We campaigned for office on the principles of a limited and constitutional government. As elected officials we took an oath of office to "support this Constitution."

The First Amendment's dictates are a model of clarity: "Congress shall make no law . . . abridging the freedom of speech." Yet the House of Representatives approved a bill (H.R. 513) that proposes new restrictions on speech about politicians and policies to be enforced under the threat of criminal penalties. The House then added the provisions of H.R. 513 to the Senate's lobbying reform bill.

One of the four pillars of a free and just society is freedom of speech. As George Washington once said, "If the freedom of speech is taken away then dumb and silent we may be led, like sheep to the slaughter."

The targets of the bill's speech restrictions are nonprofit advocacy groups organized under section 527 of the tax laws. The groups pose no threat of corruption as they are required to disclose all donors, barred from urging voters to support or oppose a candidate, and prohibited from coordinating with political parties or elected officials. Rather than restrict others, we should expand people's freedom of association and speech to political organizations and committees.

While many rightly criticized the McCain-Feingold bill for banning TV and radio ads within 60 days of an election, what justification is there to prohibiting any communication costing over \$1,000 that mentions a congressman's name in any medium, 365 days a year, if done through one of these independent citizens' groups?

Some say this bill is needed to stop the wealthy from funding propaganda, but the bill appropriately places no limits on the wealthy to fund speech on their own. Instead, it foolishly restricts the ability of hundreds of thousands of citizens to join together to speak out about the nation's future.

Republicans do not need, and should not attempt, to muzzle their opponents. The increase in free speech over the last two decades made possible by the growth of talk radio, cable TV and the Internet has benefited our Party, which allowed us to promote individual freedom and opportunity that has led to unprecedented prosperity for our nation.

We strongly oppose adding the anti-free speech provisions of H.R. 513 to the lobbying reform bill, or any other bill.

If such provisions are added to legislation scheduled for a Senate vote, we would give serious consideration to supporting extended debate on the bill. It is important that the American public have the opportunity to learn that their freedoms are at stake and have the sufficient time to express their opinions prior to a vote of the Senate.

Sincerely,

GEORGE ALLEN,  
JIM DEMINT,

NORM COLEMAN,  
DAVID VITTER,  
MICHAEL B. ENZI,  
JOHN E. SUNUNU,  
SAM BROWNBACK.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Mr. President, I, obviously, am not surprised at the objection of my friend from Nevada. We need to address this issue. As I mentioned, I do not think we would have to if it were not for the Federal Election Commission's failure to carry out their responsibilities.

I have observed the role of money in politics for a long time. And unless these 527s are brought under control, we are going to see ever-enlarging activities and more and more money being spent through this loophole that has been carved out, unfortunately, and allowed, as I mentioned, two individuals to contribute as much as \$22 million each in the 2004 campaign.

I worry very much about one individual donor contributing millions of dollars that would come into a House or a Senate race in the last couple or 3 weeks of a campaign. Obviously, that would be a credible distortion of the process and undue influence. By the way, 99 out of 100 of these 527s come from outside the State or district in which the money is spent. So I hope we can move forward on this legislation. I think it is compelling that we do so.

I hope that we can sit down with others and get this legislation debated. As to the unanimous consent request I propounded, I would be glad to have amendments to it, other debate, depending on the will of Senators. We need to take up this issue and bring it under the control for which it cries out. I regret we were not able to do so at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

#### WESTERN ENERGY CRISIS

Ms. CANTWELL. Mr. President, last night consumers in Washington State received welcome news; that is, that the Federal Energy Regulatory Commission decided, after 5 long years, that the ratepayers of Snohomish County, WA, do not have to pay Enron \$120 million for power that it never delivered during the western energy crisis, for which it sought to charge exorbitant power rates.

The western energy crisis was certainly a tragic chapter, demonstrating corporate greed and the need to make sure we have regulatory fairness. This fight goes back to the spring of 2001. Since then, I have been working, along with my colleagues from the Pacific Northwest and other parts of the country, to make sure that ratepayers were treated fairly. There were many stops and starts in the process. There were times when our faith in the process began to erode.

But one of the high points came last summer when the Senate Energy Committee came together in an unprecedented effort to debate and pass an amendment that basically protected ratepayers throughout the country, to make sure they had a fair shot at justice. This was an important amendment I offered, which made sure that everyone understood that the federal energy regulatory authority was the proper place to decide whether utilities such as Snohomish County PUD should have to pay Enron for power at exorbitant rates, resulting from Enron's market manipulation.

I know the Chair knows this issue well and knows there were many other parts of the country that also were impacted by the same issues. That is why I want to make sure that we give thanks to all the people who played a constructive role in the debate: Certainly, I thank Senator ENSIGN, whose ratepayers in Nevada were facing a similar situation; of course, Senator REID; Chairman DOMENICI, who ran the Energy Committee in a fair and open way that allowed us to have a serious debate. The chairman deserves credit, along with the ranking member, Senator BINGAMAN, for his focus on consumer protection; Senator SMITH, Senator CRAIG and Senator ALLEN, Senators WYDEN and MURRAY, and all my Democratic colleagues on the Committee.

We also had some incredible help and support from the Energy Committee counsel and staff: Chief counsel Sam Fowler and Judy Pensabene, along with other in-depth analysis from Leon Lowery and Lisa Epiphane. These staff people helped us wade through a very challenging legal issue but, in the end, made sure that federal authority stayed where it was, and that that Federal entity gave the ratepayers a chance at the important relief they needed.

The other side of the story is that of the Snohomish County PUD, this is a David and Goliath story, of a small utility that did the job of taking on a big power company. This utility said that it was not going to be forced to pay manipulated power rates. They fought for the ratepayers of their State and for justice to make sure that this never happens again to consumers in America. It shows that sometimes the little guy can win. It shows that the Snohomish County PUD fought back against this fraudulent \$122 million bill, and was vindicated in the process.

It was an important battle for them to fight, for the average Snohomish County resident who would have been forced to pay over \$400 additional to Enron in utility rates; and for the county's school districts that would have seen a \$2.5 million increase in electricity costs. That is money that can otherwise go to hiring teachers or paying for books. And for the businesses and other ratepayers in this county who were impacted economically by the exorbitant rates we have

been paying from the western energy crisis and Enron's manipulation, last night's announcement will bring a big sigh of relief.

Now we need to make sure that we get on with the task of making sure that this never happens again. When it comes to energy markets that drive our economy, aggressive consumer protection must be part of Federal regulators' overall objective, when overseeing the wholesale electricity markets. It is far better that we continue to make sure the Federal regulators do their job. If that is what Congress needs to do by passing amendments such as the Cantwell amendment, we will continue to do so.

We also took some important steps in the Energy bill last year by saying that there is a Federal ban on market manipulation; that is, when it comes to electricity markets and natural gas markets. This Senator believes there is still more to be done in other energy markets. Just this morning we woke up to news that BP North America has been indicted for manipulation of propane markets. This is a case that is just starting to be made, but we will hear the evidence.

Our work is not done until we make sure that the Commodity Futures Trading Commission, the Federal Trade Commission, and other Federal agencies have all the tools they need to make sure there is transparency in energy markets; to make sure that propane, jet fuel, oil, diesel, gasoline markets, all are protected with the transparency and oversight necessary to make sure consumers aren't impacted by market manipulation. In the end, it is the American consumer and the American economy that suffer when we don't have functioning energy markets.

I look forward to working with my colleagues to continue to make sure that we protect consumers from exorbitant energy rates, that we do our job at the Federal level to enforce the law and uphold those standards that make these markets work and continue to help our economy grow.

Again, I thank all those who were helpful in the long process to bring justice for ratepayers in the State of Washington and all those who sought to give a good helping hand in the effort to make sure that our Federal laws were held up, implemented, and that we didn't allow this issue to continue to be punted around a variety of bankruptcy courts. But instead, we made sure that justice was delivered to the ratepayers.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### TRIBUTE TO NIKKI KIMBALL

Mr. BAUCUS. I rise today to recognize my friend and fellow Montanan, Nikki Kimball. Starting in the early morning hours on June 24, for 19 hours, 26 minutes, and 50 seconds, Nikki put her body through one of the most grueling endurance races in the world.

The Western States Endurance Run is a 100-mile trek through the picturesque mountains of northern California.

Since the 1970s, runners from six continents have traveled to Squaw Valley to push their bodies to the limit.

Following the Western States Trail, once used by the gold and silver miners, the runners traverse some of the most diverse terrain the mountains have to offer.

However, this run is more than just a physical challenge, it is a battle of wills between the determined runners and Mother Nature. When I talked to Nikki, the first thing that she mentioned was the excruciating heat.

The searing heat not only resulted in intense dehydration, it also caused her shoe leather to constrict on her feet resulting in horrendous blisters. Yet, she forged on.

This race became a battle against oneself. As a fellow distance runner, I know the agony that comes with these types of races. Your legs are cramping, your lungs are on fire, and everything in you says stop, sit down, quit. Yet, in the back of your mind there is the little voice saying keep going, one more mile, you can make it. Nikki listened to that voice, and turned in an epic performance.

Though challenged by hundreds of runners, including many professionals, Nikki coupled her elite physical prowess with an iron will, and won the female division, and placed second overall.

Her performance at Western States is just another addition to her phenomenal athletic resume.

Nikki's running has taken her all over the world and awarded her many honors. She has been selected as the UltraRunning Magazine's North American Runner of the Year, represented the United States on the 100K World Cup team, and has also won the U.S. national snowshoeing championship.

Currently, Nikki is training for the White River 50 mile race in Washington, which is a national championship event.

Yet, Nikki is defined by more than just her running. For all the effort she puts into sports, she puts just as much time into helping the Gallatin and Park County communities as a physical therapist.

Nikki has used her intimate knowledge of athletics to provide accurate insight into many ailments that hinder the citizens of the Gallatin Valley, as well as Paradise Valley, I might add, and all over Montana.

Nikki is an inspiration to all of us. She represents the dedication, iron will, and determination that has come