UNANIMOUS CONSENT REQUEST—S. 223

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 96, S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic forms; that the committee-reported amendment be considered and agreed to; the bill, as amended, be read three times, passed, and the motion to reconsider be laid upon the table with no intervening action.

The PRESIDING OFFICER. Is there objection?

Mr. ENSIGN. Reserving the right to object, I have no objection to the underlying bill, but there is an issue that I had an amendment that I wish to add to the bill, if the Senator from California would agree. We have a problem going on in the Senate where there are outside groups that are filing ethics complaints and they are doing it for purely political reasons.

I think we could fix that, at least having transparency, to where if someone files an ethics complaint against a Senator from the outside, they would have to disclose their donors. So if this is being done purely for political reasons, then we would find that out, because we could see who the donors are. We need to protect the institution. We need to protect individual Senators from purely politically motivated ethics complaints that come against us that sometimes we will have to run up legal bills and all kinds of other things. If it is done purely for partisan reasons, we need to know that, and transparency is the best way to do it. If the Senator from California would modify her unanimous consent request to reflect and to add this portion, that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to consideration of Calendar No. 96, S. 223, under the following limitations: that the committee-reported amendment be agreed to, and that the only other amendment in order be an Ensign amendment related to transparency and disclosure, with 1 hour of debate equally divided in the usual form on the bill and the amendment to run concurrently, and that following the use or yielding back of the time, the Senate proceed to a vote in relation to the Ensign amendment, and that the bill, as amended, then be read a third time, and the Senate proceed to a vote on passage of the bill, with no intervening action or debate. Would the Senator modify her request?

The PRESIDING OFFICER. Is there objection?

Mrs. FEINSTEIN. If I may, reserving the right to object, I wish to make a comment or two, if I might. This proposal would require all organizations that filed ethics complaints to publicly disclose any individual or entity that has donated $5,000 or more to that organization. If the good Senator from Nevada would be willing, I would be very willing to have this proposal considered in the Rules Committee in a prompt way. I would not like to hold up passing this commonsense simple filing bill, and I don't want to debate the merits at this time. This bill Senator ENSIGN is proposing is not germane to the basic bill before us. It would quite likely be a poison pill that would kill any chance of us getting the electronically filed bill enacted into law at this time.

I reiterate the offer to hear it in a prompt manner in the Rules Committee, but I must object to it at this time. I do so object.

The PRESIDING OFFICER. Objection is heard.

Mr. ENSIGN. I object to the original unanimous consent.

The PRESIDING OFFICER. Objection is heard on that as well.

Mrs. FEINSTEIN. I thank the Senator.

Mr. President, on the original bill, which has just been objected to, twice in April, first on April 17 and then on April 26, I rose to ask unanimous consent that the Senate take up and pass S. 223. It was reported out by the Committee on Rules on March 28. In the first case Senator ALEXANDER objected on behalf of a Republican Senator. In the second, Senator BUNNING rose to object on behalf of the Republican side. But to this date, no Republican Senator has come forward to acknowledge placing a hold on this bill and say why the bill should not become law.

I wrote the minority leader on May 27 asking for his help in learning who was opposed to the bill and why. But no Members have yet come forward to identify themselves. This is a simple, direct bill with respect to transparency. It is an idea whose time has long come. Everybody else does it, and so it is very hard for me to understand who could oppose this and what their reason for opposing it could be.

At our hearing on March 14 and at our markup on March 28, it was clear there was no public opposition to this proposal. I believe it is time for the Senate to act. The bill is entitled Senate Campaign Disclosure Parity Act. It is sponsored by Senator FEINGOLD, who sits behind me in the Chamber, Senator COCHRAN, and 30 other Senators. It would require that Senate campaign finance reports be filed electronically rather than in paper format.

Currently House candidates, Presidential candidates, political action committees, and party committees are all required to file electronically. But Senators, Senate candidates, authorized campaign committees of Senators, and the Democratic and Republican Senate campaign committees are exempted. So we operate the Senate separately from everybody else.

Is this practical? The answer is no. It is cumbersome. Paper copies of disclosure reports are filed with the Senate Office of Public Records. They scan them. They make an electronic copy, and they send the copy to the FEC on a dedicated communications line. The FEC then prints the report, sends it to a vendor in Fredericksburg, VA, where the information is keyed in by hand and then transferred back to the FEC database at a cost of approximately $250,000 to the taxpayers. Of course, during this convoluted period, there is no transparency. Therefore, the reports are not available for public scrutiny.

It is long past time to bring the Senate into the modern era and to recognize that transparency is a part of a political process. I urge my colleagues on both sides of the aisle to join me in ensuring timely access and disclosure of campaign finance activities to the public. The sponsor of this bill, Senator FEINGOLD, has joined me today to urge passage of this bill.

Thanks to the enactment of S. 1, there is a new reason why we are doing this today. Section 512 of S. 1 now requires Members placing a hold on a bill to come forward and identify themselves. To the best of my knowledge, no Member has yet used this section to break through the anonymity of a Senate hold. I believe it is appropriate that this provision be asserted now for the first time in connection with a bill that is all about transparency. I think it might be useful for me to read it, since it is now the law:

> Section 512 (a) IN GENERAL.—the Majority and Minority Leaders of the Senate or their designees shall recognize a notice of intent of a Senator who is a member of their caucus to object proceeding to a measure or matter only if the Senator (1) following the objection to a unanimous consent to proceeding to, and, or passage of, a measure or matter on their behalf, submits a notice of intent in writing to the appropriate leader or their designee; and (2) not later than 6 session days after submission under paragraph (1), submits for inclusion in the CONGRESSIONAL RECORD and in the applicable calendar section described in subsection (b) the following notice: ''I, Senator [whoever it is] intend to object to proceeding to [name the bill], dated, for the following reasons.''

So if 6 Senate days from now the hold on this bill will become evident, it has been a rolling hold up until now, but now, after 6 days, we must know who it is.

I would believe if there are efforts to obfuscate this section of the law candidly, we should amend the law to prevent that from happening. This is a simple bill. Everybody is for it. Nobody wants to say who is against it. I think that should become apparent. I believe Senator FEINGOLD and I hope Senator COCHRAN, the cosponsor of the bill—and they have dozens of cosponsors—would agree.

I wish to acknowledge Senator FEINGOLD, if I may, and I yield the remainder of my time to him and also thank him for his leadership on this issue.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I, of course, thank the Senator from California, who is chair of the key committee on this bill, for her persistence in trying to get this bill through the Senate. We came to the floor twice this

spring to try to get consent to pass the Senate Campaign Disclosure Parity Act. Each time an objection was made on behalf of an unidentified Republican Senator. Yet no Senator had come to us to let us know what his or her objection to the bill is. The source of the objection apparently didn't want to be identified, but when the President signed the Honest Leadership and Open Government Act last week, as Senator FEINSTEIN pointed out, S. 1, fortunately, secret holds become a thing of the past, and I am very proud to have been deeply involved with passage of that legislation. So if an objection was lodged today, the objecting Senator would have had to come forward in 6 session days.

As far as I know, this was going to be the first test of the new rule on secret holds, and I was looking forward to learning who the real objector was, as the rule requires, if an objection was made on behalf of an unidentified Senator. But now it appears that the Senator from Nevada has actually identified himself as the objector to the bill, so we know what is going on here.

I believe the new provision under the new law is the reason this individual identified himself. I don't think that would have happened had it not been for the positive deterrent effect this new legislation has. Senator FEINSTEIN and I can cite this as the first time this was successfully forced in the case of a secret hold.

This underlying bill about disclosure, which I authored along with others, is completely noncontroversial. This simply put Senate campaigns under the same obligation to file their reports electronically that the House and Presidential campaigns have been forced to do for years. There is simply no reason that the information in Senate campaign finance reports should remain less accessible to the public than any other campaign finance reports. We are now at 41 bipartisan cosponsors. As the Senator from California pointed out, not a single concern about the bill was heard in the Rules Committee. The bill passed by voice vote, and no one has come to us with any concerns about it at all. So the time has come to get it done. The Senator from Nevada has made an alternative proposal to bring up the bill but to make an amendment in order. The amendment he wants to offer, however, has nothing to do with this bill. Indeed, it is a very controversial proposal to require groups that file ethics complaints to disclose their donors. I am sure the charitable and advocacy organizations will find this amendment quite controversial. It should be referred to the appropriate committee and given very searching study before it is offered on the floor. As the Senator from California said, it would certainly be a poison pill for the underlying bill, which thus far has had no public opposition whatsoever. So I am pleased the Senator from California objected. We are happy to make that objection very public.

I thank the chairman of the committee, the Senator from California. I will say again, it looks as though we made a little bit of progress. No longer is there a secret hold on the bill. Instead, the Senator from Nevada has made it plain he is the one holding up the bill by insisting on offering an unrelated amendment. That is unfortunate, but at least we know what we are dealing with. I hope in the days ahead we will be able to prevail on him to change his approach.

There are some bills where it is simply not appropriate to seek to add extraneous and controversial amendments. The amendment he has proposed is surely a poison pill for this bill, and we need to get this bill in place soon so these requirements of disclosure will apply during the 2008 election season.

Once again, I truly thank the Senator from California, and I look forward to getting this bill passed in the near future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

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

The Senator from Ohio.

CHIP

Mr. BROWN. Mr. President, the Children's Health Insurance Program is a sound investment. It protects our children. It fosters their development. It helps them thrive. Children without health insurance are children taken to emergency rooms instead of doctors' offices. They are children whose care is delayed and delayed, until simple sickness becomes serious illness. They are children who need our attention, our compassion, our help.

The President has said he opposes this legislation because philosophically he thinks children should be covered by private insurance, not by the Children's Health Insurance Program. It does not matter whether these children in reality should be covered by private insurance. What matters is that these children are not covered by private insurance. Simply, they are not covered at all.

By lodging a veto threat against this bill, the President is saying that if private insurers have not made room for low-income children, then we should not make room for them either. That is not just faulty logic, it is faulty ethics. At the same time, the President argues that the Children's Health Insurance Program is too expensive.

We are suggesting—bipartisanly, in both Houses, with a program that started 10 years ago, with a Democratic President, Bill Clinton, a Republican House, a Republican Senate; a bipartisan initiative from 10 years ago—we are suggesting an increase of $7 billion a year over the next 5 years—$35 billion.

Contrast that with the war in Iraq. Mr. President, $7 billion a year, to cover 4 million uninsured children in this country, 75,000 in my State of Ohio—$7 billion a year—contrast that with $2.5 billion a week on the war in Iraq. Mr. President, $7 billion a year; $2.5 billion a week. Yet the President says that is too much to take care of 4 million children.

Uninsured children do not have the luxury of time. They cannot will themselves to remain healthy until individual insurance becomes more affordable or employer-sponsored coverage stops eroding or the President becomes more pragmatic. It is up to this body, this week, to take action.

In Ohio, the Demko family can tell you why they value the Children's Health Insurance Program. Emily Demko, 3 years old, has Down Syndrome. Because of her condition, she is automatically denied private health coverage because Down Syndrome is considered a preexisting condition.

Emily was covered by the Children's Health Insurance Program until March 31 of this year. Under the Children's Health Insurance Program, Emily was able to receive the therapy she needed to reach all of her developmental milestones in an age-appropriate way. But in March, Emily was cut off from this program because her father made $113 too much per month for the family to qualify.

Her father is self-employed. Her mother stays at home to care for her. Without health insurance, the bills for Emily's care total $3,700 per month, which, of course, is impossible for the Demkos to pay.

The Demkos' family income falls within the range of 250 and 300 percent of poverty. Emily has now been without health insurance for 6 months. Governor Strickland and the Republican legislature, bipartisanly, raised the threshold for the Children's Health Insurance Program in Ohio if the Feds go along, if the President signs our bill, to 300 percent of poverty—not for families living in the lap of luxury, but families such as the Demkos who have seen their daughter cut off from her health insurance because of a preexisting condition and falling out of eligibility because her father makes $100 too much per month.

So far, Emily is not regressing, but there is that possibility with Down Syndrome. Her parents cannot afford the insurance for themselves either. But more than anything, they want to see 3-year-old Emily covered. They worry about what will happen to her without the therapy she needs. She does not qualify for any other programs despite her disability.

I wish President Bush would talk to the Demko family, would keep them in mind as he considers whether to sign the Children's Health Insurance Program. I hope he wants to make life better, not harder, for this hard-working family and help Emily to thrive.

The Children's Health Insurance Program will expire September 30 unless