

that the current law needs to be modernized; it needs to be fixed. We saw that in the last Presidential election. But rather than throw out something that has served the country and the electorate well for 36 years, let's fix it. And the gentleman from North Carolina (Mr. PRICE) and I and others have introduced legislation to do exactly that.

So rather than shielding an avalanche of unlimited special interest money from public view, we should shine a light on it. We should do it by modernizing the Presidential system, and we should also pass the DISCLOSE Act, which we could have brought up and voted on except for the previous question was just defeated.

Mr. Chairman, at the end of the day, our Nation's democracy doesn't belong to Presidents or Members of Congress; it belongs to the voters who send us here, and we have a solemn responsibility to safeguard it on their behalf and protect it for future generations from the lessons in corruption in history. Let's mend it. Let's fix it. Let's not throw it out.

The CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. SMITH of Nebraska) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 3. Concurrent resolution honoring the service and sacrifice of Staff Sergeant Salvatore Giunta, a native of Hiawatha, Iowa, and the first living recipient of the Medal of Honor since the Vietnam War.

The SPEAKER pro tempore. The Committee will resume its sitting.

ELIMINATING TAXPAYER FINANCING OF PRESIDENTIAL ELECTIONS

The Committee resumed its sitting.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I yield myself such time as I may consume.

I rise today in support of H.R. 359, which terminates the taxpayer financing of Presidential election campaigns and party conventions.

At the outset, I just want to mention in response to something that was said by the other side, this has absolutely nothing to do with the Citizens United case decided by the Supreme Court. That changed not one iota of campaign finance law. Corporations still cannot make contributions to campaigns or candidates. It does not change that.

Citizens United had to do with the question of whether or not one loses his or her First Amendment protections of free speech, particularly with respect to expressions of political nature, merely because they associate with another person. The Supreme

Court told us that you do not in fact lose your First Amendment rights because you happen to say it jointly with someone else. As a matter of fact, they pointed out that some people with the least amount of influence in a society actually expand their influence in the political debate by joining with others. And then the question that the Supreme Court answered was, if that association happens to be corporate in nature, happens to be a union, happens to be a for-profit, happens to be a not-for-profit, whether that changes the dynamic as contemplated by the First Amendment protections, and they told us it did not. So let's get rid of that canard here on the floor right away. This has absolutely nothing to do with that. This has absolutely nothing to do with corporate contributions to campaigns or foreign contributions to campaigns, both of which remain illegal, with criminal sanctions, under the law.

So let's get that out of the way to begin with so we don't have a lot of debate here that has nothing to do with the bill before us.

Mr. Chairman, we find ourselves at a unique juncture in the longstanding debate over this issue; but, frankly, in reality, it is a juncture no longer. Taxpayer financing of Presidential elections and party conventions of the two major parties is simply no longer defensible.

The first tax liability contributions from American taxpayers to be diverted toward the funding of Presidential elections began 35 years ago in 1976. This new practice was, as we were told by the other side, supposed to raise the public's trust in their government as well as increase both the number of candidates and, thus, electoral competition and the financial footing between parties. I believe, Mr. Chairman, it has failed on all accounts.

It did allow us to have Lyndon LaRouche be a participant in the Presidential elections. I am not sure when we have had someone who had been subjected to a criminal conviction and actually conducted part of his campaign while still incarcerated, but that was brought to us by way of this fine law.

Since 1976, approximately \$1.5 billion has been spent on this system. As we speak, there is a balance of \$195 million sitting in the Presidential Election Campaign Fund at the U.S. Treasury Department. And yet this system of electoral subsidization has not changed the public's perception of our Presidential elections or our politics. According to one survey after another, Americans continue to harbor deep distrust of their elected officials. So does anyone think that our Presidential elections over the past 35 years have shown a virtuous progression toward more accuracy and more honesty?

Mr. Chairman, prominent Presidential candidates, candidates who even supposedly believe in this system, have opted out of this taxpayer financing scheme in recent years. In 2004 and

2008, several candidates declined public financing for their primary campaigns.

And as was mentioned by the gentleman from Illinois, during the most recent Presidential election, for the first time, a nominee of one of our two major political parties withdrew from the public financing during the general election and instead went on to raise record amounts of money for his campaign. And I recall when I thought we heard a pledge to participate in this program because of the virtuous nature of the program. Somehow that was lost along the campaign trail.

One of the things I would like to point out is this: There is this idea that somehow we are going to be able to suppress money that goes into politics. The fact of the matter is it is like a balloon, a water balloon. If you squeeze it on one side, it comes out on the other side. The question is: How do we get it within the system?

We should be talking about the idea of this silly demarcation between our parties and our candidates where we limit in extreme fashion the amount of money that can be transferred or coordinated, as if somehow that corrupts the candidate to have him or her identified with the very party they represent. We ought to be working towards those kinds of changes that will allow a greater responsibility on the party and the candidates to express their positions and to hold to their positions, be responsible for their positions. But no, we talk about these ways of how we are going to somehow reduce the impact of money in campaigns. It hasn't worked under this system. It hasn't worked.

□ 1150

In addition to Presidential primaries and general elections, if there is anything the American taxpayer should not be subsidizing, I would say—as much as I enjoy them—it is the week-long Presidential conventions. On our side of the aisle, in our party, I think we've had some indications of what I consider to be wasteful spending in preparation for our upcoming convention; and to say to the taxpayer that, in light of that, we ought to continue to subsidize the production of our Presidential conventions by the two major parties, it is very difficult to articulate and even to understand.

They are, as I say, grand fun, wonderful occasions—week-long party gatherings that are, unfortunately, in this day and age, largely symbolic. One can't even argue something important is being decided because, unfortunately, they ceased to have real significance sometime ago, and that was part of our effort to try and cleanse the system.

Rather than having people selected by these delegates that come to these conventions, we should move more and more to the primary operation and, of course, then earlier and earlier in the season so that somehow it becomes a 2-year event. I guess we're already in

that. Taxpayers would be shocked, if not outraged, to discover that they have been funding these extravagant photo ops.

Mr. Chairman, as I mentioned, since 1976, approximately \$1.5 billion has been spent on publicly funding our Presidential primaries, our Presidential general elections, and our Presidential party conventions. The American taxpayer has paid enough for this unwise experiment. I think it should be ended and the balance in the Presidential Election Campaign Fund and the Presidential Primary Matching Payment Account returned to the Treasury to be used for deficit reduction. I think we'd actually have the American people cheering us for that. According to a 2010 Congressional Budget Office estimate, the elimination of this program will save American taxpayers \$617 million over the next 10 years.

Now, some could say, Well, that's your opinion. We have our opinion. Why change things?

Well, why don't we look to the opinion of the American people. Not a bad idea in this House. Simply put, this program does not have the support of the American people.

Taxpayer support has declined precipitously over time. I remember, years ago, I thought it was a good experiment. I thought it was a good idea. I checked off for some of my taxes to go to this program. I was in hopes that it would actually prove to be a good change. I, like most Americans, though, who contributed to that in the past, have given up on the program. We don't believe it gave us what we thought it might.

In 1980, for instance, the percentage of taxpayers participating through their tax form checkoffs was 28.7 percent. It was so popular that in 1985 it was 23 percent. It proved so successful that in 1990 it was 19.5 percent. Boy, it really proved itself by the year 1995, because then 12.9 percent of the American taxpayers decided they'd participate. In the year 2000, it dropped to 11.5 percent. In 2005, it was 9.1 percent. According to the IRS data obtained from the FEC, the checkoff rate in 2010 was 7.3 percent.

In other words, on a direct vote, a plebiscite taken by the taxpayers of America, 92.7 percent reject the notion. Now, where I come from, that's a landslide. I think even in Chicago it would be a landslide—even if you paid your taxes only once.

Mr. Chairman, this candidate and convention subsidy is obviously unpopular. To paraphrase one former member of the Federal Election Commission, "Any system of public financing must have popular support to succeed. Today's low taxpayer checkoff rates cast serious doubt on whether the public financing system has this support. When only one in 13 taxpayers are participating, it is very difficult to conclude that the public financing system has broad popular support."

Mr. Chairman, as we promised in the Pledge to America and as we have promised here on the floor during these initial weeks of the 112th Congress and as we have verified by our transparency-enhancing rules package, our bipartisan votes to trim Congress' budget and end excessive congressional printing, by our determination to return discretionary spending to fiscal year 2008 levels or less and now through this bill, the Republican majority is committed to fiscal stewardship, to having a relentless eye on waste and inefficiency, and to a continued commitment through this 112th Congress to reduce spending, to create private sector jobs, and to produce meaningful legislation that makes long-lasting reforms.

Mr. Chairman, if we, in fact, mean what we say when we say we are willing to look at those programs that already exist and to judge whether or not they have proven to be efficacious, or efficient or successful, in promoting the principles that underlie their passage in the first place, we ought to start with this. This is a program that almost 93 percent of the American people who pay taxes reject, and we're asking them to participate. Maybe we ought to listen to what they are saying and, instead, allow the savings garnered by this particular bill to go toward deficit reduction.

This bill, introduced by my colleague from Oklahoma, should garner overwhelming bipartisan support. We should thank him for introducing it—and I do—and for his commitment to a more responsible and efficient stewardship of taxpayer dollars. I would urge my colleagues to understand what this bill is and understand what it is not and to support H.R. 359.

Mr. Chairman, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Chairman, it is my pleasure to yield 3 minutes to the gentlelady from California (Ms. ZOE LOFGREN), a distinguished member of the Committee on House Administration.

Ms. ZOE LOFGREN of California. Mr. Chairman, I rise in opposition to H.R. 359.

This bill will unnecessarily eliminate the \$3 checkoff box—it's voluntary—on tax returns to fund Presidential elections, and it could increase the influence of special interests in the funding of Presidential campaigns.

Now, the bill has been fast-tracked by the Republican leadership—without any hearings, no markups, no respect for the committee process. As a member of the House Administration Committee and as a former chair of the Subcommittee on Elections, I am very concerned by the end run around our committee and the lack of deference shown to the committee and its members.

Speaker BOEHNER promised 2 weeks ago, when he took the Speaker's gavel, more transparency in the legislative process and to focus on job creation.

Last week, the new majority fast-tracked a health care reform repeal bill. This week, they expedite the repeal of this voluntary program without the proper process. So I think the Speaker may need to revisit his statement about process and transparency.

In addition to the process concerns, I question the need for Congress to pass this bill at all. I was here as a young staffer when the Judiciary Committee took up the impeachment of President Nixon. It is worth remembering that the public finance system was created as a direct result of the Watergate scandal.

Remember Phillips Petroleum, which illegally contributed \$498,000 to the Nixon campaign; or Ruth Farkas, who told the Watergate grand jury that she gave \$300,000 to the Nixon campaign as an explicit exchange for an ambassadorship to Luxembourg; or the Nixon tapes that revealed that Secretary John Connally shook down dairy farmers for \$600,000 in contributions in exchange for raising milk price supports—to the detriment of children who needed milk around the country.

These incidents eroded public confidence, not only in the Nixon administration, but in the entire system. In response, pursuant to the General Welfare clause of the U.S. Constitution, Congress passed sweeping election reforms, including the Presidential checkoff system.

Now, I would not argue that this system is perfect at this time. I think it does need reform.

□ 1200

But I think mere elimination without a committee process is a huge mistake.

I would hope that the committee could convene, that we could sort through what the problems are with this current system and how do we fix them, work in a bipartisan way to create the fixes, and then come to this House for the solution.

I urge opposition to this bill.

Mr. ROSKAM. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma, the author of the bill, Mr. COLE.

Mr. COLE. I thank the gentleman for yielding.

As I listen to my colleagues on the other side of the aisle, I would just urge them to read the bill. It's only three pages long.

Frankly, most of the things I've heard so far don't have anything to do with this legislation. This legislation doesn't raise the legal contribution limit for anybody. This legislation doesn't allow corporate contributions. This legislation keeps in place all the disclosure requirements for Presidential campaigns that we currently have. So those of you that are concerned about those things don't need to be concerned about this bill.

H.R. 359 is really a very simple piece of legislation. It does two things: It removes taxpayer funding for Presidential campaigns, and it eliminates

taxpayer funding for political party conventions by the two major parties.

Now, I have to say, if you look at whether or not these ideas have been popular, historically they, frankly, haven't. When this was put in in the 1970s, the idea was that it would spread. It hasn't. We don't fund any of our elections with taxpayer dollars, our colleagues in the other body with taxpayer dollars; and, frankly, as my friend Mr. LUNGREN pointed out, popular participation in this program has declined for almost 30 consecutive years, from a high of 28 percent in 1980 to barely 7 percent today. So there is not much indication that it's popular.

I need to say, for the record, that I philosophically have always been opposed to taxpayer dollars being used for political advocacy of any kind. Some of my friends on the other side have a very different point of view, and I respect that. We just have a philosophical difference. I think this is an inappropriate use of public money.

Having said that, as I think even my friends on the other side at least tactically acknowledge, this is a program that is broken beyond belief. And the current system didn't just begin to break down in 2008. I'd go back to 2000. President Bush didn't use this system during the primary campaign. He only used the public system during the general election. Four years later, neither President Bush nor Senator KERRY chose to use this system in the primary portion of the campaign.

Fast-forward another 4 years to 2008, neither President Obama nor now-Secretary Clinton chose to use this in the primary campaign. And the President, having committed to use it in the general, then chose not to use it in the general—certainly his right—but said at the time he still thought it was a great idea and that some day we ought to go back and fix it.

Now, I will say this for the President. Having said that, we haven't seen any action on that front. He has been in office for 2 years. There has not been a proposal from the White House to fix this system. In fact, as my friends on the other side of the aisle know, currently he is planning to run for reelection; he is setting up a campaign. There has been a lot of thought on how to raise the money and how to put together a campaign, but no proposal from the administration to actually fix the system that they purport to support and that they said years ago they were going to try and fix. That's not true, by the way, of every Member on the other side. There have been some that have, I think, genuinely tried to fix things, but let's recognize this system has been in decline and decay for a long time.

Now the estimates are that we could save \$612 million over a 10-year period. We all know in this Chamber we have a \$1.4 trillion deficit problem. Governing is choosing and prioritizing. This is \$612 million that doesn't feed a single

American, doesn't build a single mile of interstate highway or infrastructure, doesn't pay to defend the country; it simply goes to support a handful of politicians that want to run for President, many of whom are marginal.

The CHAIR. The time of the gentleman has expired.

Mr. ROSKAM. I yield the gentleman 1 additional minute.

Mr. COLE. So in an era where we have to make genuinely hard decisions, to me, this is a no-brainer. This is a lot less important than a lot of the things that we need to consider and a lot of the decisions that we will have to make.

There is leadership by lip service and there is leadership by example. If my friends on the other side think this is the appropriate thing—and certainly if the President thinks it, he ought to lead by example and participate in the system. If not, we ought to recognize it's broken, end it, save the money; and if somebody wants to rewrite a bill, then they ought to do that and let's introduce it and have that debate. But right now, this is money we can't afford to waste and this is a system that's broken.

I urge my colleagues to support H.R. 359. Let's get rid of this outdated system.

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

The short title of this bill ought to be "The White Flag of the United States Congress on Campaign Finance." My distinguished colleague from Oklahoma says, if it's broke, why don't we write a bill. That's exactly what the point is. There weren't very many people on this floor who were involved in politics when this whole thing blew up. You've forgotten 1972. We wrote a bill in the Congress—we didn't, but the Congress wrote a bill. Interestingly enough, they left themselves out of it, but they tried to control how much money went into a Presidential campaign. Now, if you don't index it for inflation or do some kind of mechanism, it's pretty clear that a law written with the limits of 1972 is going to be pretty out of date by 2012.

There are some things we could do to change this process and make it more in sync with what's going on in society financially. But by saying you repeal it with nothing to replace it, you simply are saying we don't care how much money is spent in the election of the President of the United States; it is of no concern to the Republican Party whatsoever.

It fits very nicely with the Citizens United lawsuit that allows corporate money to come in in a variety of other ways. And the system is now so corrupt that what you heard my colleague from California say, that is, all the things that were uncovered as a result of Watergate and the investigation that followed and led to the ejection of the President from the White House, was because we didn't have any controls on anything.

Now, did we put the perfect controls in? No. Should we be amending this bill? Yes. Because I don't know what 2012 is going to cost—maybe \$1 billion on either side. Sarah Palin will have \$1 billion and Barack Obama will have \$1 billion, and that will be all right with everybody. But the problem with that is that the ordinary folks in this country don't have any opportunity to participate.

They also know that people don't give \$1 billion with no expectation of something coming back. That's what happened in 1972. People gave money and they expected something back. And that's where the real fallacy here is in simply wiping this out without trying to fix it. It's an admission that you do not care how much money gets spent in a Presidential campaign. And if that's your view of how the democracy works, I think we are in serious trouble.

I'm one of those who think there should be publicly financed campaigns. I think even my opponents against me—I get 84 percent, but I think my opponent ought to have an equal shot at me. But the Congress didn't put that in this bill because they didn't want that. Neither did the Senate want that. They wanted to put it on the President and say, well, we fixed it over there. We really need it for this House and the Senate as well as what's going on in the Presidential election. And to simply repeal this is bad public policy and it is an admission that we don't care.

I oppose the bill.

STATEMENT OF ADMINISTRATION POLICY
H.R. 359—TERMINATION OF PUBLIC FINANCING OF
PRESIDENTIAL CAMPAIGNS AND PARTY CON-
VENTIONS
(Rep. Cole, R-Oklahoma, and 18 cosponsors,
Jan. 25, 2011)

The Administration strongly opposes House passage of H.R. 359 because it is critical that the Nation's Presidential election public financing system be fixed rather than dismantled.

The Presidential election public financing system was enacted in the aftermath of the Watergate scandal to free the Nation's elections from the influence of corporations and other wealthy special interests. Rather than candidates having to rely on raising large sums of private money in order to run, the system provides qualifying presidential candidates with the option of accepting matching funds in the primary and a public grant in the general election. It has done so at minimal cost to taxpayers, who fund it by voluntarily choosing to direct \$3 of their Federal taxes to this beneficial system. For many years, the system worked well and attracted wide participation. In time, however, it became clear that a system introduced in the 1970s was in need of modernization and repair. Beginning in the 2000 Presidential campaign, candidates began to opt out. Since that time, promising proposals for the strengthening of the system have been made.

H.R. 359 would kill the system, not strengthen it. Its effect would be to expand the power of corporations and special interests in the Nation's elections; to force many candidates into an endless cycle of fund-raising at the expense of engagement with voters on the issues; and to place a premium on access to large donor or special interest

support, narrowing the field of otherwise worthy candidates. After a year in which the Citizens United decision rolled back a century of law to allow corporate interests to spend vast sums in the Nation's elections and to do so without disclosing the true interests behind them, this is not the time to further empower the special interests or to obstruct the work of reform.

Mr. Chairman, I ask unanimous consent that the remainder of my time be controlled by the gentleman from Pennsylvania (Mr. BRADY).

The CHAIR. Is there objection to the request of the gentleman from Washington?

There was no objection.

□ 1210

The CHAIR. The Chair would advise that there is now a single manager on the Democratic side of the aisle.

The gentleman from Pennsylvania has 19½ minutes, the gentleman from Illinois has 7½ minutes, and the gentleman from California has 3 minutes.

Mr. BRADY of Pennsylvania. Mr. Chairman, it is my pleasure to yield 6 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to H.R. 359, a bill summarily repealing our system of public funding for Presidential elections.

The process by which this bill has been brought to the floor—no hearings, no committee consideration, no markup, no deliberation—is the opposite of responsible legislating. It contradicts everything the Republican majority committed to a mere 3 weeks ago.

The process is atrocious; the substance is even worse. This repeal bill would destroy one of the proudest and most successful examples of reform that followed the Watergate scandal. Have we forgotten what the Watergate scandal was about? The Committee to Re-Elect the President, fueled by huge quantities of corporate cash, paying for criminal acts and otherwise subverting the American electoral system.

The hallmark of the Federal Election Campaign Act of 1974—enacted in response to Watergate at a time when public confidence in the government was dangerously low—the hallmark was our voluntary program of public financing for Presidential elections. To this day, this innovative reform stands as the flagship of public financing systems used in the United States and one of the greatest steps we have taken to bring transparency and accountability to our electoral system.

The Supreme Court, in affirming the constitutionality of the system, noted its basic purposes: "To reduce the deleterious influence of large contributions on our political process, to facilitate communication by candidates with the electorate, and to free candidates from the rigors of fundraising."

Presidential public financing has worked remarkably well—being utilized in the general election by every Republican and Democratic Presidential nominee from 1976 through 2004

and by JOHN MCCAIN in 2008—although in recent years the need for modernization has become evident.

Perhaps the best example of this program's success is President Ronald Reagan, who participated in the Presidential public financing system in all three of his Presidential campaigns in 1976, 1980, and 1984.

In his 1976 primary campaign, Reagan had less than \$44,000 in campaign money at the end of January of 1976 while his opponent, incumbent President Gerald Ford, had fifteen times more cash on hand. The \$1 million in public funds that Reagan received in January and the \$1.2 million that he received in February were essential in allowing him to continue his campaign.

Reagan was once again short of cash at the end of March and was allowed to continue as a result of an infusion of public money, which matched small private contributions. This illuminates one way that public financing has worked in both parties. It has often benefited candidates who challenge the party establishment.

In later elections, due to his broad base of supporters throughout the Nation, Reagan was able to capitalize on his small-donor fund-raising capacity to accrue substantial amounts of public money. In fact, even in 1984 when he was seeking reelection without significant opposition from within his own party, President Reagan raised about 60 percent of his campaign funds from small donors and as a result received \$9.7 million in matching funds. This was the maximum amount of public money a primary candidate could receive in accordance with the law at that time. And to this day, President Reagan is the only candidate ever to reach that public funding primary campaign maximum.

My colleagues, the Reagan case is merely illustrative of the positive effects that public financing has had in both parties at both the primary and general election stages. It also highlights the system's focus on small donations, rather than big bucks from large contributors. This is no free ride. This is no willy-nilly spending program. All primary candidates must seek the support of thousands of small donors, and only then do they receive matching public funds.

Today one could wish not for this Republican juggernaut—flying in the face of the positive history of this program, flying in the face of prior Republican support, flying in the face of responsible legislating—but for a bipartisan effort to repair the system, to restore its effectiveness.

I don't know of any policy challenge that exemplifies the maxim "mend it; don't end it" better than this one.

Yesterday, Congressman VAN HOLLEN and I reintroduced a bill, H.R. 414, that would do just that. The White House has cooperated in formulating this bill. It would modernize the Presidential public financing system and again make it an attractive and bill would

bring available funds into line with the increased costs of campaigns, adjust the program to the front-loaded primary calendar, and enhance the role of small donors further. It also would remove public funding of political conventions, as their roles indeed have changed since the system was first instated. This bill has been carefully designed. It deserves deliberation and debate through the normal committee process in this body.

At a time when confidence in government is low and assumptions of government corruption are high, why is the new majority trying to return us to the dark days that preceded Watergate? Why would we even want to contemplate such a thing?

Let's, instead, restore and improve our public financing system and move on to real solutions to put our Nation's fiscal house in order.

Mr. DANIEL E. LUNGREN of California. Before I yield 1 minute to our majority leader, I'd like to take 15 seconds to say when I find myself on the floor listening to my colleagues on the other side declaring Ronald Reagan to be the patron saint of Democratic Party ideas, I am bemused a bit because I served here when Ronald Reagan was President, and I don't recall those same words at that time.

However, at this time I would like to yield 1 minute to the majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman.

Mr. Chairman, over the past 2 years, the legislative schedule of this House was dominated by spending money, not cutting spending. But after the people voiced their displeasure in November, the discussion in this town is now focused on rolling back the unchecked growth of government and Federal expenditures.

Our majority is dedicated to cut and grow: cutting spending and job-destroying regulations; growing private sector jobs and the economy.

Yesterday, we directed the Budget Committee chairman to set spending levels so we return non-defense discretionary spending to 2008 levels or below.

Today, the American public, through the YouCut program, has put on the chopping block an example of unnecessary government waste. Specifically, this bill would eliminate the Presidential Election Campaign Fund, an outdated mechanism that provides Federal tax dollars to candidates in Presidential primaries in the form of matching funds and general elections and subsidies for the Democratic and Republican National Conventions.

Eliminating this program would save taxpayers \$617 million over 10 years and would require candidates and political parties to rely on private contributions rather than tax dollars.

In times when government has no choice but to do more with less, voting to end the Presidential Election Campaign Fund should be a no-brainer. I

urge my colleagues to vote in favor of this measure.

Mr. BRADY of Pennsylvania. I now yield 2 minutes to the gentlelady from California (Ms. WOOLSEY).

□ 1220

Ms. WOOLSEY. Mr. Chairman, one of the things that the Republicans will accomplish with this legislation to upend the Presidential campaign finance system is to drown out the voice of the people and to give more power, not less, to their well-heeled special interests. Actually, this repeal bill is the beginning of the end of any hope for a system of public financing for all elections in this country.

So Mr. Chairman, I am not surprised. After all, the majority largely owe their unprecedented spending levels in the last election thanks to the Citizens United decision that turned on the spigot of anonymous, unaccountable corporate cash. And in keeping with the spirit of secrecy and lack of transparency, it's somehow fitting that this bill comes to the floor without any hearings, without any committee referral, without full debate or deliberation.

We have a deeply corrupt campaign system, Mr. Chairman. Special interest money is having a corrosive effect on our democracy, eating away at the people's confidence in their government and their elected Representatives. The one beacon of light in this system is the public financing of Presidential campaigns. It is, I would remind everyone, a voluntary system. Americans must choose to opt in on their tax returns. It has served the country well, at limited expense. It needs updating. It does not need to be dismantled. We need more public financing, in all of our Federal elections, not less. H.R. 359 goes in exactly the wrong direction.

I urge my colleagues to vote "no."

Mr. ROSKAM. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. SCHOCK).

Mr. SCHOCK. Mr. Chairman, earlier this month I read articles about President Obama's reelection campaign plans on raising upwards of three-quarters of a billion dollars. There is no system of public financing for our Presidential elections that can accommodate anywhere near that level of spending. That is why I believe the President's strong opposition to legislation abolishing a system the President himself found unworkable in reality is profoundly hypocritical.

Putting out a statement of administration policy that states repealing the public financing system would, quote, "force many candidates into an endless cycle of fundraising at the expense of engaging with the voters on the issues; and to place a premium on access to large donors or special interest support, narrowing the field of otherwise worthy candidates"—what incredible audacity. This is like the proverbial arsonist child who kills his parents by setting their house on fire and then appeals for sympathy by exclaiming he is an orphan.

The President's statement is absolutely saying one thing while doing the opposite. A New York Times editorial on January 24 of this year said, "ERIC CANTOR is targeting for extinction the publicly subsidized Presidential campaign finance system adopted in the wake of the Watergate scandals." Wrong. It was President Obama who killed it and made a mockery of public financing of Presidential campaigns with his arrogant pressing of self-advantage, his unprecedented move to decline public financing for the first and only time since the adoption of this system.

In disparaging the majority leader, the Times went on to say that, "We suspect his real motive is to give an even bigger voice to big-money contributors in Presidential campaigns." Once again, the record needs correcting. No campaign in American history had more maximum donors, at \$30,400 per person, than Obama for America. Much has been made of that committee's legendary prowess in generating small donors over the Internet. But that committee also had a record-shattering haul among big donors, bundlers, and influence peddlers. But such is the right for Mr. Obama as a candidate in America.

However, when he alone has refused to participate in public financing of a general election for a Presidential campaign, his protestations ring rather hollow. No one has made more of the system operationally obsolete than Barack Obama. Actions do speak louder than words. And Barack Obama alone has refused to participate on the level playing field that existed in publicly financed Presidential general election campaigns in history.

It was not that the system was antiquated that forced Barack Obama to break a very sanctimonious campaign promise to participate in public financing. It was his decision to put expediency over his expressed support for the Democrat mantra of public financing. It was all about a ruthless pressing of self-advantage, despite a core campaign theme of promising to rise above self-interested politics.

Today, we will hear about on the floor measures to address the inadequacies of the system and the need to repair the system. First, I want to note an earlier New York Times editorial on June 20, 2008, which stated, "Senator Russ Feingold, the ranking authority on campaign finance reform, rightly points out that while the primary cycle's public matching subsidies are 'broken' and need updating for inflation, 'the system for the general election is not'."

Secondly, I ask my Democratic colleagues this: Have any of you received the specifics of what it would take to change the law that would cause President Barack Obama's campaign to abide by public spending limits in the general election for 2012? Because without those specifics, this debate is not grounded in the reality that the incum-

bent President has zero intention of giving up his gargantuan financial advantage in his reelection campaign by opting out of one of the most perfect systems of public financing we could possibly adopt.

I ask the supporters of public financing for Presidential campaigns, are you willing to adopt a system that makes it mandatory for all candidates to participate in the system? And can you unequivocally pledge that the President's reelection committee will agree to be bound by your new system? And if not, I would suggest you are preaching at the wrong end of Pennsylvania Avenue.

The CHAIR. The Chair would advise Members that the gentleman from Illinois has 2½ minutes, the gentleman from California 1¾ minutes, and the gentleman from Pennsylvania 11½ minutes remaining.

The Chair would further advise that ascribing unworthy motivations or intentions to the President of the United States or another Member of the United States Congress is inappropriate.

Mr. BRADY of Pennsylvania. Mr. Chairman, it is my honor to yield 1 minute to our Democratic leader, the gentlelady from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding.

Thank you for your leadership, Mr. BRADY, and participating in this important discussion, as fundamental as our democracy, on the floor today.

Mr. Chair, I rise today to urge this Congress to focus on our number one priority, the creation of jobs. This is a priority for the American people and for this Congress. We should be focusing on it. That was the message we heard last night from President Obama on this floor, who called on us to out-educate, out-innovate, and out-build the rest of the world.

But instead of talking about job creation, this legislation we debate today will not create jobs, will not reduce the deficit, and will not strengthen the middle class. And those are the standards we should apply to any legislation that comes to the floor. Instead, it will put American elections more squarely into the hands of special interests.

One year ago, the Supreme Court decision in Citizens United opened the floodgates to unlimited, uninhibited, undisclosed special interest spending in our elections and unlimited special interest influence over our public policy debate. In response to the Citizens United ruling, Democrats worked to restore transparency, fairness, and accountability to our political process. Last Congress, with bipartisan support, the House passed the DISCLOSE Act to require corporations and donors to stand by your ad. Why are you running and hiding? And to keep foreign-owned entities from participating in our elections.

But Senate Republicans blocked DISCLOSE. Even though it came out of the

House with bipartisan support, Senate Republicans blocked DISCLOSE from even receiving an up-or-down vote, and now House Republicans are perpetuating a sneak attack on campaign finance reform.

The result was clear in the last election. Special interest groups spent tens of millions of dollars more in the 2010 election than ever before. Again, undisclosed, without identification. There is a reason they don't want it disclosed. First of all, if the public knew who was paying for those ads, they would realize that their own personal interests were not being served, but the special interests. That's our experience in California, where we had a special interest initiative placed on the ballot by outside oil companies. And the strongest statement against the initiative was to see the disclosure at the bottom of the ad as to who was funding it. That spoke more eloquently to the fact that it was not in the people's interest. And the initiative was defeated.

□ 1230

Eliminating the Presidential Election Fund, as this election would do, opens the door for foreign-owned entities and large corporations to enjoy an even greater role in the funding of political campaigns.

In the past, Members from both sides of the aisle have supported legislation to reform, not eliminate, the public financing system. We should come together to ensure that the American people are heard and that they are not drowned out by special interest dollars.

In our democracy—and God bless our Founders for establishing it—voters determine the outcome of our elections. That's the way it should be. Special interests should not be determining the outcome of our elections. One year after the Supreme Court's decision undermined that fundamental American value, let's come together to fight on behalf of the public interest, to preserve the integrity of our political campaigns; and, therefore, to strengthen our democracy. And maybe we could, instead of undermining it here today, strengthen our country by creating jobs, by reducing the deficit, by strengthening the middle class, none of which is being done by this legislation.

I urge my colleagues to oppose this effort to further empower the special interests over the people's interest.

Mr. ROSKAM. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. I thank the gentleman for yielding.

Mr. Chairman, last night just a few seats down from where I stand, I listened to our President say that he would offer his support to eliminate whatever we can honestly afford to do without. I stand here today in this House Chamber feeling a little less like a freshman representative of the United States Congress and more like a guy presiding over the people's choice awards. There is no better program in

my judgment that is tailor-made for elimination than this program.

In overwhelming fashion, the people of Arkansas and indeed the people of America spoke loud and clear last year about the need to reduce spending in this country. The gentleman from Oklahoma talked about the fact that this program does not educate anyone; it doesn't feed anyone; it doesn't produce a mile of interstate highway. The gentleman from California articulated the declining participation in this checkoff program. I don't think there's a better barometer out there for the overwhelming support that the people have for this particular measure.

I urge my colleagues to join me today and vote in favor of H.R. 359.

Mr. BRADY of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in opposition to H.R. 359. Adopted in the shadow of the Watergate scandal, the public financing of Presidential elections eases the burden of fund-raising campaigns and lessens the impact of private donations by a small number of wealthy donors.

Since 1976, candidates from across the political spectrum have used the public financing program to run for President. Is the system perfect? Absolutely not. The system needs to be reformed, not repealed. I heard one of my colleagues on the floor mention that our President, President Obama, opted out of this program. That was his choice. I do not think we should be in a position to legislate the American people's choice. That's their choice, to opt out or to check that box. I don't think we have the right to do that, nor should we do that.

With the Supreme Court's decision in Citizens United little over a year ago, we are already well on our way to elections brought to the American people by the highest corporate bidder. If this bill passes, there will be even more incentive for foreign controlled companies to secretly invest in political causes that could help move American jobs overseas. Companies that outsource jobs will have a very simple message to Presidential candidates—support our agenda, or face the consequences. This bill takes secret corporate dominance of our elections to the next level.

This bill is also being considered at the wrong time and under the wrong circumstances. Less than 3 weeks ago, the American people were promised an open Congress, a Congress that allowed for open debate, one that allows for open rules. The American people are still waiting. In consideration of this matter, the committee process was completely disregarded. There have been no hearings. No testimony from witnesses either for or against. No markup. No refining in the committee or input from experts. Zero. None. When we did the DISCLOSE Act, we had three hearings and 17 witnesses.

We learned from our witnesses. They gave us their opinion and they gave us their education on what they thought, pro and con. To bypass that, which we have never done before in our committee, I think is wrong. We should have had our hearings and let it happen.

There's no reason why we have to rush this thing over to the Senate. I would doubt very much if they're sitting there waiting for it. And we could have taken our time, done our hearings, which we do in a complete and nonpartisan way; and we could have had this thing thrashed out, we could have aired it out, people could have put their amendments in, they could have offered amendments at our committee level, we could have aired it out perfectly and gotten much more education and maybe had a chance to reform it for the better.

While reforming the Presidential financing system is an important effort which I support, the next Presidential election is 2 years away. This bill does not create or save a single job. Zero. None.

There is a time and a place for campaign reform. While here might be the place, now is certainly not the time. I urge my colleagues to oppose this bill and to get back to the important task of putting the American people back to work.

Mr. Chairman, I reserve the balance of my time.

The CHAIR. The Chair would advise that the gentleman from Pennsylvania still has 8½ minutes. The majority side has a combined 3¼ minutes. The gentleman from Illinois is reserving; the gentleman from California is reserving.

The order of closing that the Chair would prefer in this instance would be that the gentleman from Pennsylvania would exhaust time on the minority side; we will then move to the gentlemen on the majority side for conclusion.

Mr. BRADY of Pennsylvania. Mr. Chairman, it is my pleasure to yield as much time as he may consume to, in my opinion, an expert on this matter, the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman.

I am pleased to close for our side with a plea to our colleagues that they not dismantle, in an irresponsible and summary fashion, one of the proudest achievements of post-Watergate political reform in this country.

I also can't let pass what the gentleman from Illinois (Mr. SCHOCK) said about our President. Of course we want President Obama, we want all Presidential candidates, to opt into this system. We've made it about as clear as we possibly could that the bill that the gentleman from Maryland (Mr. VAN HOLLEN) and I have introduced is designed to make it feasible once again for candidates to participate in the public financing system.

But the gentleman from Illinois—talk about having it both ways—comes

onto this floor to condemn President Obama for opting out of the system, and then he proposes to abolish the system so that everybody has to opt out! Neither President Obama nor anyone else could participate. The logic of that is way beyond me.

Of course we want a system that works. We know the system needs to be adjusted. And we have constructive efforts under way to do just that. What we should be doing, instead of having this up-or-down exercise on the floor today, with no committee consideration, is actually undertaking that kind of discussion, that kind of reform, that kind of improvement.

There is a bipartisan history here. There is a bipartisan history of supporting this program; a bipartisan history of participating in the program. I assume that is out of fashion now for our Republican colleagues.

But under the pretense of achieving fiscal responsibility, to come to this chamber and abolish one of the proudest and most successful of our reform efforts—that does a disservice to the new majority and to this House. It also violates all the pledges we had 3 weeks ago—of hearings, committee consideration, markups. None of that has been done. This is simply an up-or-down vote, as I say, flying under the false colors of fiscal responsibility.

We have a chance to take on this challenge—to mend it, not end it—to make certain that we preserve this reform, but to adjust it to the realities of modern campaigning.

□ 1240

To simply abolish this, to once again turn over Presidential financing to big private and corporate interests, to overlook the abuses, the problems that led to this system in the first place, falls far short of what we should be about as responsible legislators looking out for our country's best interests.

I ask for Members to look at our legislation, to repair and rejuvenate the public funding system and in the meantime to reject this summary attempt to destroy one of the proudest achievements of reform.

Mr. BRADY of Pennsylvania. Mr. Chairman, I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I yield myself the balance of my time.

The CHAIR. The gentleman from California is recognized for 1¾ minutes.

Mr. DANIEL E. LUNGREN of California. First of all, Mr. Chairman, the ranking member of our committee has been very fair in the proceedings that he had with us over the last number of years, and I appreciate that. We will continue that tradition.

We were unable to have any hearings or consideration of this matter before our committee until yesterday when we finally were told by the minority party as to who they wish to have on our committee.

We could not meet as a full committee until we had a complement of both Democrats and Republicans. We established our side several weeks ago.

I am sorry that happened. We will have plenty of hearings in the future on this and other issues.

What is the current system that we are hearing the other side defend? What has it given us? It has given us Lyndon LaRouche, but it would prevent Eugene McCarthy from being a successful Presidential candidate. That's what we don't hear.

The system works against some people like a Eugene McCarthy, who was a poor fundraiser but managed to have a number of people who supported him, who gave him large contributions.

And yet he was able to change the course of history, bringing down a sitting President and allow for—well, he was called the Pied Piper of the youth vote.

So let's understand the complexity of the history of this law. The fact of the matter is, Mr. Chairman, this law has failed us. It has failed the American people.

The American people have rendered their judgment. Nearly 93 percent of the American people who paid taxes have voted "no" to this system. That ought to give us good guidance as to where we could find savings to bring down our national debt.

As I understand it, we are going to have an amendment from the Democratic side of the aisle which causes any money saved here to go to bringing down the debt. I hope that it comes forward, and I will support it.

I hope we have the support of our colleagues for this bill.

Mr. ROSKAM. Mr. Chairman, I yield myself the balance of my time.

The CHAIR. The gentleman is recognized for 1¾ minutes.

Mr. ROSKAM. Mr. Chairman, the minority leader was on the floor a couple of minutes ago—and I know the weather is urgent, I didn't want to prolong this drama—but it seemed to me to make the argument that this doesn't do anything as it relates to economic growth is just an incredible overstatement.

One of the things that we continue to hear, and the President's own debt commission spoke eloquently about the nature of debt and the stifling nature of debt on the economy and the stifling nature of spending on the economy. Here the Congressional Budget Office says, without ambiguity, the Congressional Budget Office says H.R. 359 would reduce direct spending by \$617 million over the 2011–2021 period.

This is an opportunity for us to take the admonition of the minority leader, to take the admonition of the President, to take the admonition of what the electorate told us in November and that is to concentrate on ways that we can trim this government, the burden on the taxpayer that adds absolutely no value.

There is not one Member on this House floor, Mr. Chairman, that has

defended the results of this system. I urge passage of this bill.

Mrs. CAPPAS. Mr. Chair, I rise today in opposition to H.R. 359.

This deeply flawed legislation would do away with a voluntary program that helps ensure transparency in our elections.

Created in the wake of Watergate, the presidential election public financing system—which this bill would eliminate—has helped stop corporate interests from buying elections with large anonymous donations.

While I'm disappointed that Republicans are playing political games with our election safeguards, I can't say that I'm surprised. H.R. 359 is just the latest effort by the new Majority to undermine our campaign finance laws in favor of Wall Street Banks and foreign corporations.

This political gimmick comes one year after the catastrophic Citizens United Supreme Court ruling that opened the floodgates to unlimited and anonymous special interest spending in our elections.

Last year my Democratic colleagues tried to repair some of the damage done by passing the DISCLOSE Act—a bill that would require corporations to stand by their advertisements and to keep foreign-owned entities from funding our elections.

Virtually all Republicans voted against this bill in the House, and their colleagues in the Senate blocked it from consideration.

Mr. Chair, this bill is nothing more than a thinly veiled attack on transparency in our elections that does absolutely nothing to create American jobs or encourage economic growth. In fact, by shifting our election system to favor big business, this legislation could strengthen the power of companies that ship American jobs overseas.

I urge my colleagues to stand up for an open and transparent election process, and vote no on this deeply flawed legislation.

Mr. WAXMAN. Mr. Chair, I rise in strong opposition to H.R. 359, which repeals nearly 40 years of reforms in how our Presidential election campaigns are funded. It is a great disservice to our democracy and to fundamental democratic processes.

As with the House vote to repeal the Affordable Care Act, this sweeping measure has been brought up for a vote without any hearing, without any testimony, without any documentation, and without any opportunity for those who support current law to state their case before the American people. The new Republican leadership pledged to be open, transparent, and fair in the workings of the House. These good principles are simply being ignored, once again.

I don't believe the American electorate wants to have even more corporate influence in Presidential elections. During the midterm election season, there was no call to scrap our public finance system, but there was a real sense of concern and a vigorous debate about the huge amounts of corporate funds that entered the campaign season as a result of the Supreme Court's ruling in Citizens United last year.

H.R. 359 would undermine processes that have been an essential part of our electoral system since the Federal Election Campaign Act Amendments of 1974 were enacted in the wake of the greatest corruption scandal in modern American history, Watergate. Watergate was marked, in significant measure, by revelations of massive amounts of cash from

undisclosed sources being funneled into our presidential election campaigns and expended without proper accountability. Congress responded with significant reforms that restored the integrity of our Presidential elections.

For decades there has been a consensus that public funding of Presidential campaigns is preferable to special interest funding. Every Republican and Democratic Presidential nominee from 1976 through 2008, except for Barack Obama, used the public finance system for their general election campaigns. The system is contingent on support from private donors; there is a match of public funds, which are donated on a purely voluntary basis by Americans who want to promote honest elections. The system makes campaigns possible for candidates who initially do not have access to substantial funding. It encourages the broadest participation by candidates across the political spectrum. This strengthens our democracy and the vibrancy of political campaigns, thereby serving the interest of the American people.

Proposals have been introduced in recent Congresses to strengthen and improve the public finance system, which has had difficulty providing sufficient funding to meet the almost uncontrollable escalation in the costs of running for President. We should be considering legislation today to update and improve it, not to destroy it.

Although the public finance system runs on voluntary contributions, the Republican leadership has promised that getting rid of it will control the deficit. In reality it will only further lard Presidential campaigns with special interest money.

Like our vote on the Affordable Care Act last week, the Republicans can vote to repeal our landmark post-Watergate reforms without offering anything to replace them. Their indifference toward the public interest is a threat to the integrity of future elections.

I urge my colleagues to vote against this legislation.

Mr. DINGELL. Mr. Chair, I rise in strong opposition to H.R. 359, which would eliminate the presidential public campaign financing system. A year ago, the Supreme Court handed down one of its most devastating decisions in recent memory, ruling in *Citizens United vs. the FEC* that corporations could spend unlimited amounts in elections to argue for the election or defeat of a candidate. The ruling indeed opened the floodgates: corporate and special interests spent nearly \$300 million in the 2010 midterm elections, four times what was spent during the 2006 midterms.

Citizens United provided corporations like Exxon Mobile and Goldman Sachs the same free speech rights under the First Amendment as teachers, factory workers, and janitors. And yet, at a time when most Americans are fed up with the amount of special interest money flowing in Washington, the Republican party wants to make it easier for corporate voices to be heard. Moreover, these corporate donations can be funneled to tax-exempt organizations that do not have to disclose their donors, decreasing transparency when Americans want more of it.

Last year, the House passed a bipartisan bill to increase disclosure and transparency in federal elections. Unfortunately, the legislation died in the Senate. The last thing we need to counteract the harmful *Citizens United* decision is to eliminate the public campaign fi-

nance system established by Congress in the wake of Watergate which has helped candidates whose voices would not otherwise be heard to participate in federal elections.

Mr. Chair, we were promised more transparency and regular order from the new Republican majority. But we are considering this legislation six days after it was introduced, bypassing the committee process of hearings and mark-ups. I applaud the majority for allowing amendments; but, the truth is, this bill is so tightly written that few amendments are germane. And in the height of hypocrisy, the majority is using an estimate provided by the non-partisan Congressional Budget Office to justify savings to taxpayers, the same agency which the majority party was decrying just last week when it reported that repeal of the health care reform law would add to the deficit.

Unlike my friends across the aisle, I will not dismiss the CBO's score of this legislation as somehow deceptive. However, the bill's savings over 10 years amounts to less money than is spent in 1 month on the war in Afghanistan. Mr. Chair, I agree that we need to find solutions to our deficit problems but this is not one of them. Rather, eliminating the public-financing system will cost us much more in the long term, requiring our elected officials to spend more time raising money to keep up with the corporate spending in elections than legislating.

Everyone agree that the presidential public campaign financing system must be fixed. Fewer Americans are checking the box on their tax forms to contribute to it. President Obama eschewed it in 2008 in favor of receiving small dollar donations via the Internet. Let us work together, in a bipartisan fashion, to reform the system and make it work for the 21st century. As the Washington Post editorial said, "fix the system—don't junk it."

Mr. BLUMENAUER. Mr. Chair, I strongly oppose H.R. 359. This bill terminates the Presidential Election Campaign Fund, which provides grants and matching funds during a presidential campaign for primary candidates, general election nominees, and party conventions.

Elections are not the problem in America. Our troubles don't stem from a case of too much non-special interest money.

Every year, nearly 40 million Americans voluntarily choose to support the public financing system by directing \$3 of their Federal taxes to the fund. This program, with little expense to the taxpayer, has played an important role of increasing transparency, ensuring that campaigns are funded at an appropriate and sustainable level, and strengthened the voice of small-donor Americans.

While I appreciate that this bill has been brought to the floor under a modified open rule, that does not excuse the fact H.R. 359 bypassed committee hearings, silencing a much-needed debate. In an era of half-a-billion dollar—and growing—presidential campaigns, public financing needs reform, not repeal.

This system was first used 35 years ago in the wake of Watergate to ease pressure on political candidates, enabling them to spend more time connecting with voters and less time securing large contributions.

Before costs outstripped financing, the system helped every candidate from 1976 to 2008, increased the number of viable contenders, and promoted competition in an oth-

erwise restrictive two-party dominated system. The system is broken and has not kept pace with the new campaign environment, but on the anniversary of *Citizens United*, a decision that upended a century of law that had brought transparency to our electoral process, the last thing we need are presidential campaigns more beholden to private donations.

This piecemeal approach of addressing this nation's fiscal woes is wrong and insufficient. You can't right-size the deficit through spending cuts alone. We must change the way we do business by addressing defense, Social Security, Medicare and Medicaid. Until this happens, we will have a very long and unproductive Congress that fails to address the long-term stability of our economy.

H.R. 359 will eliminate the system when we need—more than ever—to strengthen it. Getting rid of the public financing option in Presidential elections would close the path that leads back towards a better, more transparent democracy where the candidate can more clearly hear the voters, not large corporate interests.

Mr. HOLT. Mr. Chair, I rise today in strong opposition to H.R. 359, a bill that would terminate the public financing system for presidential election campaigns. The vast majority of Americans oppose the damage done to the integrity of the electoral system by the *Citizens United v. FEC*, which opened the floodgates for corporate spending in elections. According to a Washington Post poll, 80 percent of Americans oppose the ruling, with little difference reflected by party affiliation (85 percent of Democrats oppose it, 76 percent of Republicans, and 81 percent of independents). Yet, inexplicably, the majority is celebrating the one-year anniversary of that disastrous and poorly-reasoned decision by offering a bill that would make that damage vastly worse.

Frankly, I believe we would be moving just plain backwards if, instead of building upon the public financing system for presidential elections by updating it and adding to it a system of public financing for House and Senate races, instead, we remove the public financing system for presidential elections. So far, the new majority seem focused on undoing landmark legislative achievements rather than strengthening them.

I find two aspects of this bill particularly puzzling. First, it is being offered to "reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions." But nothing in the bill would specifically reduce either federal spending or federal borrowing. The Presidential Election Campaign Fund is funded exclusively by a check-off box on Americans' tax returns, stating that they want \$3 (\$6 for joint returns) of their tax liability to be deposited in the Fund. If that check-off box were removed, their tax liability would be the same, but the \$3 or \$6 would simply be allocated to something else. That is, the size of the revenue pie would be the same but the slice that would have been spent on presidential election campaigns would simply be spent on something else, and nothing in the bill would prevent additional borrowing to increase the size of the pie.

In addition, even if the entire existing balance of the fund were transferred to the Treasury, as called for by the bill, according to the fiscal year 2011 budget the unobligated

balance in the fund is approximately \$200 million. The national debt is more than \$14 trillion. So transferring \$200 million to the Treasury for the express purpose of debt reduction would only reduce the debt by one one-thousandth of one percent. The majority argue that this bill would save hundreds of millions of dollars in mandatory funding over the next decade, but the only thing it seems to do is keep those hundreds of millions of dollars out of the Presidential Election Campaign Fund.

That is how little would be gained. But what would be lost? That brings me to the second aspect of this bill that is puzzling. The Presidential Election Campaign Fund is a completely voluntary program. It only exists because people volunteer to participate in it. Although tax-payer designations have decreased in recent years, the American people voluntarily contributed the more than \$1.3 billion that presidential candidates and party committees have received under the program between 1976 and 2004. Why would the American people voluntarily contribute that much money to the program if they didn't prefer the neutrality of public money being used to finance elections to the bias and manipulative potential of private money being used for that purpose?

Similarly, virtually all American presidential candidates have voluntarily participated in the program since it was founded. With the exception of President Obama, every single Republican and Democratic presidential nominee since 1976 has used the public financing system to fund their general election campaigns. Why would the majority—with no real fiscal benefit ensured by this bill—terminate a program that both the citizens and the candidates have voluntarily supported for decades?

The Citizens United decision is drowning out the voice of the average citizen under a tidal wave of corporate spending. The Presidential Election Campaign Fund amplifies the voice of the average American as against the voice of corporate America. It is a critical and valuable program that we should be updating, enhancing and expanding, as a number of Members of this body have been seeking to do. For example, Representative PRICE of North Carolina and Representative VAN HOLLEN championed in the prior Congress, and reintroduced yesterday with my support, legislation that would increase the role of small donors and decrease the role of corporate spenders and other big donors in presidential campaigns. It would also eliminate spending limits, freeing up candidates to compete with the onslaught of corporate spending resulting from Citizens United. And it would increase the amount available in the fund by increasing the tax return check-off amount from \$3 to \$10 (and from \$6 to \$20 for joint filers). Representative LARSON and Representative JONES also championed legislation that would establish a program of public financing for House elections. I think these efforts are the ones we should be devoting our time to.

I want to reiterate—the check-off box for the Presidential Election Campaign Fund is a strictly voluntary funding mechanism. Keeping it does not constitute an appropriation. Eliminating it does not, in and of itself, reduce spending or borrowing. Eliminating it in this case would simply take away the only national program American citizens and presidential candidates have been able to use to help ensure that elections are as free as possible

from the manipulative force of wealthy and powerful special interests.

I strongly oppose this bill and, for the sake of preserving the voice of the American people in elections, I urge my colleagues to do the same.

Ms. JACKSON LEE of Texas. Mr. Chair, I rise in strong opposition to H.R. 359, terminating voluntary taxpayer financing of presidential elections. This legislation seeks to end a 35-year-old program that uses money taxpayers choose to help pay for presidential campaigns and political conventions. The impetus for creating this public-financing system was the 1970s Watergate scandal and the desire to make fundraising for presidential elections more transparent. This bill would terminate the taxpayer option to designate a mere \$3 of income taxes to the financing of presidential campaigns, thereby also eliminating the Presidential Election Campaign Fund and the Presidential Primary Matching Payment Account.

Currently, taxpayers can designate a \$3 contribution to the public-financing system by checking a box on their federal income tax form. The money comes from taxes paid to the U.S. Treasury and does not affect a person's tax refund or payment. Passing this legislation would do irreparable harm to our presidential election system by preventing everyday Americans from having their voices heard while opening the door for special interests and large corporations to dominate presidential elections even more. This legislation would prevent patriotic, tax-paying grandmothers who may not be technologically savvy enough to go to the Web site of a presidential campaign but who have for years and decades checked this box from expressing their civic right to support a presidential campaign. I think we should all stand up for grandmothers throughout this great Nation and oppose this legislation.

Furthermore, this attempt to fast-track a bill that will destroy the presidential public finance system and privatize election fundraising is highly irresponsible. This violates recent pledges by the GOP's leadership of increased transparency, accountability and debate in Congress. Not one hearing has been held on the legislation, nor has a single committee debated its merits at a markup. If it passes, this legislation will roll back more than 30 years of law born out of the Watergate scandal, eviscerating one of the few remaining protections stopping corporations from heavily influencing American elections even more. The Supreme Court already opened the floodgates to unrestricted special interest spending in our elections and over our public policy debate in the Citizens United case; this legislation would pave the way for special interest groups, large corporations, and other large donors to dominate the political landscape even more at the expense of everyday, hard-working, tax-paying Americans.

House Republicans' much-touted "Pledge to America" criticized Democrats for "limiting openness and debate" during the legislative process and vowed to "ensure that bills are debated and discussed in the public square." The pledge says the GOP "will fight to ensure transparency and accountability in Congress and throughout government." And in Speaker JOHN BOEHNER's first remarks after taking control of the House, he spoke of a greater emphasis on "real transparency" and "greater ac-

countability." He went on, "Above all else, we will welcome the battle of ideas, encourage it, and engage in it—openly, honestly, and respectfully." Bringing forth such sweeping legislation without committee hearings and mark-ups completely contradicts these promises.

Public financing of presidential campaigns provides matching tax dollars to the small donations received by candidates who agree to publicly finance their campaigns, instead of relying on private donations. The intent is to encourage small donations and the burden on taxpayers is not much: Americans can voluntarily contribute \$3 to the fund on their federal tax filings. The public finance system was created in the aftermath of the Watergate scandal in the mid-1970s. After President Richard Nixon's re-election campaign was found to have illegally accepted hundreds of thousands of dollars from big corporations, Congress created a public financing system so that candidates would not have to rely on corporations and deep pocketed donors to finance their campaigns.

Legislation to make presidential public financing more competitive has won support from both parties in the past. In 2003, Senators Russ Feingold and JOHN MCCAIN introduced a bill that would reform the public financing system; Reps. Christopher Shays and Marty Meehan filed a companion bill in the House. "The public financing system for presidential elections, which aims to allow candidates to run competitive campaigns without becoming overly dependent on private donors, is a system worth improving and preserving," the lawmakers said in a joint statement.

More recently, Rep. DAVID PRICE introduced the Presidential Fund Act, which would notably increase the funds available to candidates who opt in to public financing. In 2007, when PRICE introduced his bill, cosponsors included three Republicans—Reps. Mike Castle of Delaware, TODD PLATTS of Pennsylvania, and Shays. Rep. PRICE has offered the bill again in the 112th Congress with Rep. VAN HOLLEN.

Since 1976, every Democratic and Republican presidential candidate has used the public financing system except Barack Obama's 2008 campaign. The way reformers see it, the presidential public financing system needs repair, not repeal. This legislation has drawn sharp criticism from campaign-finance watchdog groups who argue that the program should be expanded, not eliminated, to reduce special-interest money in elections.

Meredith McGehee, policy director at the Campaign Legal Center, says the amount of public funds currently available to candidates is too small to be competitive in modern presidential races. She says lawmakers need to update the system to better emphasize small donations to candidates and raise the total amount of public funding available. "Imagine if you didn't make any changes to the tax code since 1976. Of course public financing is outdated. The issue, then, is not to get rid of, but how to fix."

Craig Holman from the public interest group Public Citizen says his organization and others like it will urge lawmakers to oppose the GOP's bill because it violates the GOP's transparency promises, both on the 2010 campaign trail and now as the House majority. "This just came out of the blue, has had no deliberation and no discussion within the Republican and Democratic conferences," Holman says. "They have just been seated and

they're already breaking the ground rules on how they'll do business."

This legislation is strongly opposed by Americans for Campaign Reform, the Brennan Center for Justice, Common Cause, Democracy 21, the League of Women Voters, People for the American Way, and U.S. PIRG, to name a few.

I urge my colleagues to oppose this legislation, which would be damaging to our democracy.

Ms. KAPTUR. Mr. Chair, this past Thursday marked the one year anniversary of the United States Supreme Court's ruling on the case *Citizens United v. Federal Elections Commission*.

That is the day the liberty of the American Republic want on sale to the highest bidder.

And today, the House gathers to remove one of the few remaining tools the average American has to voluntarily participate in a presidential election—let me remind those in support of H.R. 359 that the average American is not a multi-national corporation with hundreds of millions of dollars at their disposal.

My friends on the other side have said that this bill has nothing to do with the *Citizens United* case; I respectfully disagree.

Because of the overreaching ruling in *Citizens United*, not only are large corporations now allowed to reach into their deep pockets to spend unlimited funds in support of those running for office. But they can pay for political advertisements in the days leading up to an election—a provision previously banned by the Bipartisan Campaign Reform Act.

The winner in this case was not *Citizens United* and the loser was not the Federal Elections Commission. The winners are multi-national corporations and Wall Street. The loser is the liberty of the American people. For if money = free speech, then lack of money = lack of free speech.

Corporations have always had heavy influence in the U.S. government. But today, as a result of the Supreme Court's decision one year ago, we have entered a new era in the corporate ownership of America.

In this past mid-term election, the fallout of *Citizens United v. FEC* saw close to \$4 billion poured into the mid-term cycle. This was an all-time record.

It is frightening to imagine how much money will be spent during a presidential election year if public financing is stripped.

Four billion dollars—a record-breaking amount of money—was spent at a time when our country's unemployment hovers near 10 percent.

That gross amount of cash came from big business and Wall Street. To claim the *Citizens United* made no difference in the billions spent is absurd.

A few justices on the Supreme Court curiously decided that giant banks—which have already taken so much from the American people—are deserving of the same protection under the First Amendment of the Constitution as the very people they hurt.

Wall Street has stripped the average American of their retirement funds, their homes, and drown our society in debt; now the Supreme Court has stripped them clean of their Constitutional right to a free democracy.

This is unacceptable.

Those who benefit from the big money that is injected into elections by big business and

Wall Street banks have tried to stop legislative fixes. The Supreme Court has shown its willingness to overturn a century's worth of legislation designed to protect our electoral system. Now this Congress is about to vote to remove the voluntary public financing system put in place in the wake of the Watergate Scandal.

My friends in the new majority say that the system is broken, and I agree.

That is why I have introduced, year after year, a Constitutional amendment, H.J. Res. 6, to ensure that no corporation, no Wall Street bank, no big oil company, no deep pocket interest will be able to buy elections.

I believe, the only long-term solution is to amend the United States Constitution.

America's founders had the wisdom to know that as our young Republic matured, changes would need to be made.

That is why they wrote Article V of the United States Constitution, which allows for amendments to the Constitution.

The time has come to exercise this Constitutional right and fundamentally protect American liberty.

Additionally, H.J. Res. 8, another amendment I have introduced, will amend the Constitution to give Congress the authority to set limits on the amount of contributions that may be accepted by a candidate.

Congress cannot allow a tidal wave of big money to drown the integrity of our electoral system. *Citizens United v. Federal Elections Commission* was not a question of First Amendment rights; instead, it was an opportunity to protect the voices of average Americans who have been silenced by huge corporate bank accounts.

One year ago this free Republic suffered a staggering blow.

Today, we must be firm and resolute in our response.

I urge my colleagues to protect public funding, to vote in favor of the Polis amendment, and to vote NO on H.R. 359.

The freedom and liberty our founders envisioned truly is at stake.

Mr. ROSKAM. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule for a period not to exceed 5 hours and shall be considered read.

The text of the bill is as follows:

H.R. 359

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) **TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.**—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) **TERMINATION.**—This section shall not apply to taxable years beginning after December 31, 2009.”.

(b) **TERMINATION OF FUND AND ACCOUNT.**—

(1) **TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.**—

(A) **IN GENERAL.**—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

“**SEC. 9014. TERMINATION.**

“The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating conven-

tion) after the date of the enactment of this section, or to any candidate in such an election.”.

(B) **TRANSFER OF EXCESS FUNDS TO GENERAL FUND.**—Section 9006 of such Code is amended by adding at the end the following new subsection:

“(d) **TRANSFER OF FUNDS REMAINING AFTER TERMINATION.**—The Secretary shall transfer all amounts in the fund after the date of the enactment of this section to the general fund of the Treasury.”.

(2) **TERMINATION OF ACCOUNT.**—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

“**SEC. 9043. TERMINATION.**

“The provisions of this chapter shall not apply to any candidate with respect to any presidential election after the date of the enactment of this section.”.

(c) **CLERICAL AMENDMENTS.**—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9014. Termination.”.

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

“Sec. 9043. Termination.”.

The CHAIR. No amendment to the bill shall be in order except those printed in the portion of the CONGRESSIONAL RECORD designated for that purpose and except pro forma amendments for the purpose of debate.

The Chair would advise, in light of the gentleman from New York's parliamentary inquiry earlier, that the printed RECORD is available.

Each amendment printed may be offered only by the Member who caused it to be printed or a designee and shall be considered as read.

AMENDMENT NO. 1 OFFERED BY MR. PETERS

Mr. PETERS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 23, strike “Treasury.” and insert “Treasury, to be used only for reducing the deficit.”.

The CHAIR. Pursuant to the rule, the gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. PETERS. Mr. Chairman, there is a strong bipartisan agreement that the long-term health of our economy necessitates confronting persistent budget deficits and the growing national debt.

Democrats and Republicans were able to work together to create balanced budgets in the 1990s and a similar attempt is needed now.

While I appreciate the efforts of the Republican leadership to put forward a specific budget cut, I have serious concerns with eliminating the public campaign financing system. However, if the House is going to vote on this, we owe it to the American people to ensure that the funds are actually used for deficit reduction and not for additional spending.

When I was reading the text of this legislation, I was surprised to find that the bill does not make specific provisions for using the remaining money in

the Presidential Election Campaign Fund to reduce the deficit. This is why I am putting forward my amendment that will ensure that the \$194 million in tax dollars currently sitting in the Presidential Election Campaign Fund will be used to reduce the deficit should this legislation become law.

As introduced, H.R. 359 would transfer this money to the Treasury's general fund where it could be dedicated to new spending or lent to government trust funds. My amendment would simply specify that upon transfer to the Treasury, these funds are to be used only, to be used only, for reducing the deficit.

This is about sending a message to taxpayers. If we are going to put deficit reduction in a bill's title, then we should make sure the deficit reduction is in the statutory language as well.

It is a matter of fact that the bill, as introduced, simply returns the \$194 million in the Presidential Election Campaign Fund to the Treasury's general fund and it is from this fund that most expenditures are made, as well as loans to a number of government trust funds. If we are going to pass a bill to reduce the deficit, let's make sure it actually does that.

It is not uncommon or unprecedented to specify funds being returned to the Treasury to be used for deficit reduction. In fact, I am proud to be a bipartisan cosponsor of two Republican bills introduced this session, one by my colleague from Michigan, Chairman CAMP, and Representative GINGREY, that would codify the requirements that unspent funds from the Members' representational allowances be used specifically for deficit reduction.

This amendment basically uses the same language as in both of those bills by Mr. CAMP and Mr. GINGREY. If Congress is going to send a message to taxpayers that cutting spending is a top priority, then let's make sure those recovered funds are actually used to reduce the deficit.

My amendment is a commonsense change that ensures that the stated purpose of this bill, deficit reduction, will actually be carried out.

I yield back the balance of my time. Mr. ROSKAM. Mr. Chairman, I rise in support of the amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. ROSKAM. I wholeheartedly agree and ask that it be passed.

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. PETERS).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. PETERS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. CASTOR OF FLORIDA

Ms. CASTOR of Florida. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, amend line 21 to read as follows: "to the Office of Justice Programs for local law enforcement for costs of providing security at Presidential nominating conventions."

□ 1250

Mr. ROSKAM. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIR. A point of order is reserved.

The gentlewoman is recognized for 5 minutes.

Ms. CASTOR of Florida. Mr. Chairman, I rise today in support of the Castor amendment to safeguard the local government security funds that come from the Presidential Election Campaign Fund. I know a lot of the debate has been focused on public campaign financing of Presidential campaigns, but another important portion of that fund goes to local communities to help them with local security and local law enforcement costs when they host a political party convention.

And we're very proud in my hometown of Tampa to be the host of the 2012 Republican convention. It's no wonder that the Republicans selected Tampa; it's a wonderful place. We have beautiful beaches. We need the business and the jobs. So we're going to be a very welcoming community. We do conventions very well. And we're very happy that we're going to play host to the Republican convention.

But here are great warning flags going off because what I hear from my local law enforcement community is that the security costs, especially in the post-9/11 world, are very daunting. They are very concerned with the cost of providing security for the Republican convention, just like, I think, any host community would be for any party convention.

So what this amendment does is it says that, rather than completely do away with this fund, we will retain the portion that will cover local law enforcement security costs. We're going to need this help.

What I understand from my colleagues in Minneapolis after the last convention is that they received over \$16 million from this fund to help them cover the costs of security, yet that wasn't enough to fully cover all the cost. And let me tell you, in this economy right now, in an area where we were hard hit by the recession in 2007, early 2007, our local governments simply don't have the wherewithal to go this extra mile and cover all of these security costs.

So what I'm asking through this amendment, as we come together in a bipartisan way to cover those local law enforcement costs, is let's not throw out the entire fund. Let's retain this amount, or what's left in the fund, to go to cover these local security costs.

Let's face it, too, this is voluntary. This is the voluntary checkoff on your income tax form that taxpayers all across America can decide if they want to do this or not. This is not something that is mandatory upon all taxpayers across the country. And if folks around the country, if taxpayers want to say, voluntarily, We want to help keep big money out of campaigns and we want to help cover local security issues, then we should be following through with that commitment and not eliminating it, not giving them any choice at all.

Overall, if the majority will not accept this amendment, since you have raised the point of order, and it seems like you don't want to bring it up to a vote, I would urge everyone to vote "no" on H.R. 359 because it puts in danger dollars that can be used by the City of Tampa, the Tampa Bay area, and other communities for security, transportation, preparation, and other allowable purposes.

This amendment intends to replace the \$100 million we spend for security every 4 years with funding from this voluntary fund. If we kill this fund, we're going to be hurting many local communities such as my hometown of Tampa. The host committee will be way behind the eight ball. They're doing a good job but, boy, this was a commitment, this is the law, and you're going to really stick it to them by taking these security funds away.

So let's vote on making our communities safe when we rally a democracy under our political conventions.

Mr. Chairman, at this point, since the majority party has offered a point of order, it appears that they are not going to allow this amendment and probably the next one to come up for a vote. So because the majority has raised a point of order to prevent a vote on my amendment, I reluctantly ask unanimous consent to withdraw both of my amendments, which would have safeguarded our security funds for local law enforcement.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 4 OFFERED BY MS. TSONGAS

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 2. PROHIBITION ON THE USE OF FEDERAL FUNDS FOR PRESIDENTIAL CAMPAIGN AND LOBBYING ACTIVITIES.

With respect to Federal funds received by an entity, other than a natural person, it shall be unlawful for such entity to—

- (1) use such funds to advocate the election or defeat of a Presidential candidate;
- (2) use such funds to engage in any lobbying activity; or
- (3) donate such funds to any entity that advocates for the election or defeat of a Presidential candidate or engages in lobbying activities.

Mr. ROSKAM. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIR. A point of order is reserved.

The gentlewoman from Massachusetts is recognized for 5 minutes.

Ms. TSONGAS. Mr. Chairman, it is my intention to withdraw, however reluctantly, the amendment. But I would like to thank my colleagues on the other side of the aisle for giving me this opportunity to discuss what I believe is a critically important issue for our democracy.

My amendment is straightforward. Entities that received Federal funds may not use those funds, be they bailouts, earmarks, grants, or payments for contracts, toward the election or defeat of a Presidential candidate.

I understand what my colleagues on the other side of the aisle hope to accomplish with the underlying bill today. They want to protect taxpayer dollars. Saving taxpayer dollars is a noble goal, particularly in these tough economic times.

Unfortunately, this bill eliminates the voluntary fund that taxpayers elect to put toward campaign financing and does nothing about the much larger share of taxpayer dollars that can now go to campaign financing with no say from taxpayers. If we are truly serious about protecting taxpayer dollars, it is these dollars we should be concerned with. We should ensure that corporations and other entities receiving taxpayer money cannot turn around and use that same money to finance Presidential campaigns.

The Supreme Court, in *Citizens United*, allowed corporations to have unlimited influence in elections. It removed longstanding protections that prevented corporations from making large contributions to candidates and drowning out the voices of everyday Americans trying to participate in our democracy. In the wake of *Citizens United*, public financing of Presidential elections is all the more important to ensure a level playing field for candidates running for office and to preserve the voice of the American taxpayer. By eliminating the Presidential Campaign Fund, my colleagues across the aisle would increase the influence of special interests in the elections, leaving Presidential candidates beholden to large, private contributions.

If my colleagues insist on eliminating this important and completely voluntary fund, let us at least make sure that corporations receiving taxpayer money through bailouts, earmarks, and other Federal funds are not able to then use these taxpayer funds towards influencing Presidential elections. Let us level the playing field and protect all American voters by ensuring that these large, private contributions to political candidates aren't funded using taxpayer money.

Mr. Chairman, I reluctantly ask unanimous consent to withdraw my amendment.

The CHAIR. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

AMENDMENT NO. 6 OFFERED BY MS. MOORE

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. TAXPAYER OPTION TO CONTRIBUTE OWN FUNDS TO PRESIDENTIAL ELECTION CAMPAIGNS.

(a) IN GENERAL.—Section 6096 of the Internal Revenue Code of 1986 is amended to read as follows:

“SEC. 6096. CONTRIBUTIONS OF OWN FUNDS BY INDIVIDUALS.

“(a) GENERAL RULE.—Every taxpayer who makes a return of the tax imposed by chapter 1 for any taxable year may designate that \$3 (\$6 in the case of a joint return) in addition to any payment of tax for such taxable year shall be paid over to the Presidential Election Campaign Fund in accordance with the provisions of section 9006(a).

“(b) MANNER AND TIME OF DESIGNATION.—Any designation under subsection (a) for any taxable year—

“(1) shall be made at the time of filing the return of the tax imposed by chapter 1 for such taxable year and in such manner as the Secretary may by regulation prescribe, except that such designation shall be made either on the first page of the return or on the page bearing the taxpayer's signature, and

“(2) shall be accompanied by a payment of the amount so designated.”

(b) CLERICAL AMENDMENT.—The item relating to section 6096 in the table of sections for part VIII of subchapter A of chapter 61 of such Code is amended to read as follows:

“Sec. 6096. Contributions of own funds by individuals.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

Mr. ROSKAM. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIR. A point of order is reserved.

The gentlewoman from Wisconsin is recognized for 5 minutes in support of her amendment.

Ms. MOORE. Mr. Chairman, the Supreme Court ruling in *Citizens United v. Federal Election Commission* created an uninhibited voice for special interest spending in our elections and unlimited corporate speech in our public policy debate.

Special interests were heard loud and clear this past election cycle to the tune of \$281.6 million, almost five times greater than the previous midterm election of 2006. By eliminating the Presidential Election Campaign Fund where everyday Americans can have their voices heard, special interest groups will be able to shout from the top of the mountain and dominate Presidential elections even more.

Currently, between 7 and 8 percent of Americans choose to direct \$3 of their tax liability to the Presidential Election Campaign Fund. My amendment is simple. Instead of directing that amount, that \$3 of their tax liability by checking that box, citizens would be

able to check that box and voluntarily make a donation in the same amount to the Presidential Election Campaign Fund.

What's important here is not whether a President uses the fund or doesn't use the fund. What's important is to preserve the opportunity for the average American to have that speech and the opportunity to say loud and clear that they support clean, good, and fair elections.

□ 1300

My amendment, instead of eliminating the entire program, lets Americans make a donation out of their own pockets. Good government groups are against the underlying bill, such as the League of Women Voters, Common Cause, Democracy 21, and Public Citizen. Rather than eliminating the public financing system, we should be working together in a bipartisan manner to reform it and improve it.

Now, I understand that a point of order is being reserved against my amendment because CBO has scored my amendment as saving only \$400 million over 10 years, while the underlying bill saves \$600 million. So I think given that my amendment does contribute to deficit reduction, we shouldn't throw the baby out with the bath water.

Understanding, Mr. Chairman, that a point of order has been reserved, I ask unanimous consent to withdraw my amendment.

The CHAIR. Is there objection to the request of the gentlewoman from Wisconsin?

There was no objection.

The CHAIR. Are there further amendments to the bill?

AMENDMENT NO. 5 OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. VOLUNTARY FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) IN GENERAL.—Section 6096 of the Internal Revenue Code of 1986 is amended to read as follows:

“SEC. 6096. VOLUNTARY DESIGNATION BY INDIVIDUALS.

“(a) GENERAL RULE.—Every taxpayer who makes a return of the tax imposed by chapter 1 for any taxable year may designate an amount shall be paid over to the Presidential Election Campaign Fund in accordance with the provisions of section 9006(a). The amount designated under the preceding sentence—

“(1) may not be less than \$1, and

“(2) shall be in addition to any payment of tax for the taxable year.

“(b) MANNER AND TIME OF DESIGNATION.—Any designation under subsection (a) for any taxable year—

“(1) shall be made at the time of filing the return of the tax imposed by chapter 1 for such taxable year and in such manner as the Secretary may by regulation prescribe, except that such designation shall be made either on the first page of the return or on the page bearing the taxpayer's signature, and

“(2) shall be accompanied by a payment of the amount so designated.

“(c) TREATMENT OF AMOUNTS DESIGNATED.—For purposes of this title, the amount designated by any taxpayer under subsection (a) shall be treated as a contribution made by such taxpayer to the United States on the last date prescribed for filing the return of tax imposed by chapter 1 (determined without regard to extensions) or, if later, the date the return is filed.”.

(b) CLERICAL AMENDMENT.—The item relating to section 6096 in the table of sections for part VIII of subchapter A of chapter 61 of such Code is amended to read as follows:

“Sec. 6096. Voluntary designation by individuals.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

Mr. ROSKAM. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIR. A point of order is reserved.

The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Chairman, I rise today to discuss an amendment that can maintain our commitment to true democracy and reduce the corrupting influence of Big Money in Presidential campaigns, but will also allow for fiscal responsibility and the savings that Members of both parties believe so strongly about.

Rather than end the program, as has been proposed in the Republican bill to fund Presidential elections and reduce the influence of Big Money on our political system, this amendment would make the source of the voluntary individual donations to the Presidential Election Campaign Fund. It can be structured in such a way where the same amount of money is saved because rather than, and when I looked into this matter, like many Americans, I thought and many people thought that the \$3 check-off was actually additional money you pay. On the tax form, it looks like it is and you check it off. Most people think it is additional; it is not actually an additional \$3. It comes out of the money you already pay.

So what this amendment would do is say it would be an optional amount on top of the other amount that you pay. So it would be an additional \$3 or \$5 or \$10. We actually leave it open and allow people themselves to designate how much money they would like to apply to fighting Big Money in politics.

So with this approach, we can separate these two issues. One is an issue of fiscal responsibility with which I think there is strong bipartisan support for making cuts, even cuts of programs that we hold dear. Frankly, I am a supporter of public financing and am a co-sponsor of the Fair Elections Act. I support more public financing, but I am also fiscally responsible, and I would make cuts elsewhere. Let's separate that out and say we can save the \$520 million we need to save, but allow the program of public financing to continue as a program that individuals themselves can choose how much to fund when they are filling out their

taxes. I think that is a very critical component with regard to this.

By not capping the amount of voluntary donations, the amount of the fund could even be improved. It could remain solvent and strong because some taxpayers might dedicate \$30, \$100, or \$500. We would make it easy by empowering taxpayers.

I do have a technical fix for the amendment that I would like to offer. This is all happening so quickly, I will get that amendment to you in a moment. But effectively what this would do is, as you know, as it is now structured, all of the money you save going forward and the existing money from the fund is returned to Treasury.

Certainly the intent of my amendment was to do the same thing, but there is some ambiguity about whether the existing money in the fund would be returned to Treasury, which is the intent of the amendment.

I ask unanimous consent to modify for a technical correction the copy of the amendment I am sending to the desk.

The CHAIR. If the gentleman would send the modification to the desk.

Mr. POLIS. I withdraw the request to modify my amendment so I can continue with my time. How much time do I have remaining?

The CHAIR. The gentleman has 2½ minutes remaining.

Mr. POLIS. So again, with regard to this amendment, it is designed to save the same amount of money because it does, obviously. It simply allocates the money both in the fund; and I offer in terms of a clarification on legislative intent that it is the intent. There is certainly nothing in the language of the amendment that precludes it, as well as any future funds that come in under the regular taxes that are paid. It allows the fund in the future to be funded out of voluntary contributions.

I think if opponents of the Presidential campaign fund want to end the program for budgetary purposes, my amendment gives a reason to maintain the fund. We can, if you believe in the mission of public financing and fighting Big Money interests, also be fiscally responsible by maintaining the fund. Eliminating the fund would continue the trend of shutting out the public's voice in Federal campaigns.

Again, I sympathize with the need to save \$520 million, and I support the need to save \$520 million; and that is a beginning. That is a small beginning for what we need to cut, but we can do so in a way that will allow this concept that was created in the wake of Watergate to continue to exist and work.

I worry about the fate of our democracy with regard to the impact of Big Money on elections, and to get rid of public financing in Presidential campaigns would inflict greater damage on our campaigns and on our democracy.

The CHAIR. The time of the gentleman has expired.

Does the gentleman from Illinois insist on his point of order?

POINT OF ORDER

Mr. ROSKAM. Mr. Chairman, I must insist on the point of order. I raise a point of order against the amendment because it violates clause 10 of rule XXI, known as the CutGo rule. The amendment proposed increased mandatory spending without an equal or great reduction in existing mandatory spending relative to the underlying bill in violation of the rule.

The CHAIR. Does any Member wish to be heard on the point of order?

Mr. POLIS. Yes, I do.

The CHAIR. The gentleman from Colorado is recognized to be heard on the point of order.

Mr. POLIS. The point of order is legitimate in the sense that there is an ambiguity with regard to what happens to the money. I would press the point that the legislative intent is to allow the money that exists in the fund to be returned to the Department of the Treasury. We would be happy to work with the gentleman on a technical fix to the amendment that would make that clear. I would argue that it is already clear enough in the sense that certainly nothing is prohibited in terms of returning that money. The formal scoring came back as saving at least, I believe, \$422 million, which is all of the money going forward.

So this is a question of the \$100 million or so that is now in the fund. The legislative intent is to return that to the Treasury which would, therefore, result in identical savings. And we would be happy, to the gentleman's satisfaction and during the course of debate before the votes are called, to clarify that through a technical fix.

The CHAIR. The Chair recognizes the gentleman from California to be heard on the point of order.

Mr. DANIEL E. LUNGREN of California. On the most recent clarification by the gentleman from Colorado, the intent of our legislation is to stop this program. Not only would the funds be returned that are already in there, but the program would not go forward.

□ 1310

So, therefore, the administrative costs to the IRS would be eliminated. The gentleman, by continuing the program, increases the net cost because you will continue having the administrative costs that otherwise would be no longer in effect as a result of the underlying bill; and therefore, the point of order would still be appropriate.

The CHAIR. Does any other Member wish to be heard on the point of order? The Chair is prepared to rule.

The gentleman from Illinois makes a point of order that the amendment offered by the gentleman from Colorado violates clause 10 of rule XXI by proposing an increase in mandatory spending over a relevant period of time.

Pursuant to clause 10 of rule XXI and clause 4 of rule XXIX, the Chair is authoritatively guided by estimates from the chair of the Committee on the Budget that the net effect of the provisions in the amendment would increase

mandatory spending over a relevant period as compared to the bill.

Accordingly, the point of order is sustained, and the amendment is not in order.

AMENDMENT NO. 1 OFFERED BY MR. PETERS

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on the amendment on which further proceedings were postponed.

The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. PETERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 396, noes 7, not voting 31, as follows:

[Roll No. 23]

AYES—396

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishkek
Berg
Berkley
Berman
Biggart
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchson
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cansaco
Cantor
Capito
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chabot

Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costello
Courtney
Crawaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culbertson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Dicks
Dingell
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox

Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Green
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harman
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hirono
Honda
Hoyer
Huelskamp
Hultz (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)

Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb
Loeb
Lofgren, Zoe
Long
Lowe
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moran
Mulvaney

Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling

Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Webster
Weiner
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

So the amendment was agreed to.
The result of the vote was announced as above recorded.

Stated for:

Mrs. LUMMIS. Mr. Chair, on rollcall No. 23 I was absent because I was having a root canal.

Had I been present, I would have voted "aye."

Mrs. McCARTHY of New York. Mr. Chair, I was unavoidably detained on January 26, 2011 and missed rollcall vote No. 23 on the amendment to H.R. 359 offered by Representative PETERS. If I had been present, I would have voted "aye" on rollcall No. 23.

Mr. ENGEL. Mr. Chair, on rollcall No. 23, had I been present, I would have "aye."

Mr. BECERRA. Mr. Chair, earlier today I was unavoidably detained and missed rollcall vote No. 23. If present, I would have voted "aye" on rollcall vote No. 23.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. LATOURETTE, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 359) to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions, and, pursuant to House Resolution 54, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. WALZ of Minnesota. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. WALZ of Minnesota. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Walz of Minnesota moves to recommit the bill H.R. 359 to the Committee on Ways and Means with instructions to report the same to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. CAMPAIGN DISCLOSURE AGREEMENT.

(a) DISQUALIFIED ENTITY.—Section 9003 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) DISQUALIFIED ENTITY.—For purposes of this section—

“(1) IN GENERAL.—The term ‘disqualified entity’ means any entity that has not entered into a campaign disclosure agreement with the Department of the Treasury.

“(2) CAMPAIGN DISCLOSURE AGREEMENT.—The term ‘campaign disclosure agreement’

NOES—7

Clarke (NY)
Edwards
Holt

Jackson Lee
(TX)
Lee (CA)

Nadler
Waters

NOT VOTING—31

Baca
Becerra
Bilirakis
Buchanan
Capps
Capuano
Carter
Cooper
Costa
Diaz-Balart
Doggett

Doyle
Emerson
Engel
Frank (MA)
Garamendi
Giffords
Heinrich
Hinche
Hinojosa
Holden
Larson (CT)

Lummis
Lynch
McCarthy (NY)
Miller, Gary
Moore
Ribble
Ros-Lehtinen
Sánchez, Linda
T.
Speier

□ 1335

Messrs. HOLT, NADLER, Ms. WALTERS, Ms. LEE of California, and Ms. CLARKE of New York changed their vote from “aye” to “no.”

means an agreement in which the entity agrees—

“(A) to file disclosure statements with the Internal Revenue Service at such times, and covering such periods, as are required under section 527(j)(2),

“(B) with respect to its receipt of payment for electioneering communications from covered persons on or after January 1, 2013, to include within those disclosure statements—

“(i) the amount, date, and purpose of each payment and the name and address of the covered person making the payment, and

“(ii) the name and address of each disqualified contributor making a payment on or after January 1, 2013, to the covered person (including the occupation and name of employer of such individual) and the amount and date of each payment, and

“(C) to pay damages to the Secretary for failure to comply with these disclosure requirements in an amount equal to 35 percent of the amount that was required to be disclosed.

“(3) DISQUALIFIED CONTRIBUTOR.—The term ‘disqualified contributor’ means—

“(A) any person who makes payments (directly or indirectly) of more than \$100,000 to the covered person during the calendar year, and

“(B) any foreign individual, foreign corporation, or foreign country who makes any payment (directly or indirectly) to the covered person during the calendar year.

A payment that is deposited into an account of a covered person that is not available for electioneering communications shall not be taken into account for purposes of the preceding sentence.

“(4) ELECTIONEERING COMMUNICATION.—The term ‘electioneering communication’ means a communication that—

“(A) refers to a clearly identified candidate for any Federal public office,

“(B) reflects a view on such candidate or on the record of such candidate, and

“(C) is made within 30 days of a general election or a primary election.

“(5) COVERED PERSON.—

“(A) IN GENERAL.—The term ‘covered person’ means any of the following persons:

“(i) Any foreign individual, corporation, partnership, limited liability company, limited liability partnership, trust or similar entity or foreign country.

“(ii) Any domestic corporation, partnership, limited liability company, limited liability partnership, trust or similar entity.

“(iii) Any person described in section 501(c) and exempt from tax under section 501(a).

“(B) EXCEPTION.—Subparagraph (A) shall not apply to any person if the aggregate payments for electioneering communications during the calendar year by such person does not exceed \$25,000.”

(b) CONDITION.—Subsection (a) of section 9003 of such Code is amended by striking “and” at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting “, and”, and by inserting after paragraph (3) the following new paragraph:

“(4) agree to not make any payment to a disqualified entity for print, broadcast, cable, or satellite communications.”

(c) PRESERVATION OF FUNDS FOR PRESIDENTIAL CANDIDATES.—Subsection (b) of section 9006 of such Code is amended to read as follows:

“(b) PAYMENTS FROM THE FUND.—Amounts in the Presidential Election Campaign Fund shall be available, as provided by appropriation Acts, solely for making expenditures to eligible candidates of a political party. No expenditures may be made from such fund unless the Secretary of the Treasury has receipt of a certification from the Commission under section 9005.”

(d) PRESERVATION OF FUND FOR PRESIDENTIAL PRIMARIES.—Subsection (b) of section 9037 of such Code is amended to read as follows:

“(b) PAYMENTS FROM THE MATCHING PAYMENT ACCOUNT.—Amounts in the Presidential Primary Matching Payment Account shall be available, as provided by appropriation Acts, solely for making transfers to the candidate. No amount may be transferred from the account unless the Secretary has receipt of a certification from the Commission under section 9036, but not before the beginning of the matching payment period. In making such transfers to candidates of the same political party, the Secretary shall seek to achieve an equitable distribution of funds available under subsection (a), and the Secretary shall take into account, in seeking to achieve an equitable distribution, the sequence in which such certifications are received.”

(e) PRESERVATION OF FUNDS FOR NATIONAL COMMITTEE.—Paragraph (3) of section 9008(b) of such Code is amended to read as follows:

“(3) PAYMENTS.—Amounts in the appropriate account maintained under subsection (a) shall be available, as provided by appropriation Acts, solely for making expenditures to the national committee of a major party or minor party which elects to receive its entitlement under this subsection. Such payments shall be available for use by such committee in accordance with the provisions of subsection (c). No expenditures may be made from such fund unless the Secretary of the Treasury has receipt of a certification from the Commission under subsection (g).”

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Mr. WALZ of Minnesota (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. ROSKAM. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

□ 1340

Mr. ROSKAM (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes in support of his motion.

Mr. WALZ of Minnesota. Mr. Speaker, I yield to the gentleman from Maryland (Mr. VAN HOLLEN), a true champion of transparency and openness in government and our elections.

Mr. VAN HOLLEN. I thank my colleague and thank him for offering this motion because it's very simple. What this does is allow the American public to finally know who is funding the political ads that they're watching financed by a lot of these shadowy groups.

Mr. Speaker, earlier today our Republican colleagues rejected the idea of having broad transparency by adopting the DISCLOSE Act. What this does is target it in one very important area, an area that the American public de-

serves to know, and that is when commercials, TV commercials, are paid for by special interests, Big Money special interests, including foreign corporations, and corporations that are owned or controlled by foreign governments, whether they be China, Iran, Venezuela, whoever it may be, that the American public has a right to know who is paying for those ads.

It's simple, it's transparent, and in fact our Republican colleagues even recently said they were in favor of more transparency. Speaker BOEHNER said on Meet the Press, and I quote: “I think what we ought to do is we ought to have full disclosure, full disclosure of all the money we raise and how it is spent. I think sunlight is the best disinfectant.” I would hope that would also be true about foreign-controlled corporations trying to secretly finance ads in this country.

Majority Leader CANTOR told Newsweek, and I quote: “Anything that moves us back toward the notion of transparency, real-time reporting of donations and contributions would be helpful toward restoring confidence of the voters.”

Mr. Speaker, this motion is very simple. Let's let the American public know when you have these Big Money special interests, including foreign-controlled corporations, spending this money to influence their vote. Eighty percent of the American people, Democrats, Republicans, and independents, say they want to know. A vote against this motion is a vote to keep the American public in the dark, to continue to allow those shadowy groups, including those controlled by foreign interests, to continue to try and influence the elections in this country without telling a single person. That's wrong. It violates the kind of pledge towards transparency and greater accountability that we heard a lot in this last election.

So I urge my colleagues to act on a bipartisan basis to simply give the public the right to know when those kinds of organizations, including foreign-controlled corporations, are spending gobs of money on TV and not telling the American people who they are or who is financing them.

Mr. WALZ of Minnesota. I thank the gentleman. And on the morning after the night we sat here together and listened to the President talk about us working together, we have got a motion to recommit that I think we can all agree upon. As the gentleman spoke about something very uniquely American in our election process, it is that humble idea of someone like myself, a school teacher, football coach, and soldier, with no political connections and no personal wealth, can actually get their friends together and win elections to Congress.

The idea that we should have our elections be influenced by undisclosed foreign money runs counter to everything in this Nation's history. This piece of legislation was a bipartisan piece of legislation that was meant to

curb the excesses in the post-Watergate era. It has been used by every President, including Ronald Reagan, to make sure that our election processes were fair.

So we offer this motion to recommit in the spirit of last night's speech, something we can agree upon together, that foreign corporations should not buy our elections, that any American wishing to run for office should do so on merit and should do so with transparency and the knowledge of the American public.

I encourage my colleagues on both sides of the aisle, support this very simple motion to recommit to keep our elections fair, to keep the American people informed, and to keep this democracy in our hands, not foreign corporations.

I yield back the balance of my time. Mr. ROSKAM. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. ROSKAM. Mr. Speaker, there is really no sense of irony here, is there, that the proponents, the self-described proponents of transparency and openness, in the twinkling of an eye before a vote on an adjournment day come over and say there's your motion to recommit?

This was posted online, Mr. Speaker, on Thursday of last week. The proponents—and this is a modified open rule—the proponents had an opportunity, Mr. Speaker, on Friday to file an amendment, on Monday to file an amendment, on Tuesday to file an amendment. But the very described people who are now cloaking themselves in a mantle of openness and transparency say, "There you go"—moments ago. Okay, that's the program. I get the program.

What is this ultimately all about? There is a sincere effort on the part of this majority, and I think some folks on the minority as well, to take the President up. There is a real attempt on the part of the proponents of this bill, Mr. COLE of Oklahoma, to try and save money, to look out over the entire course of this budget and all of these challenges. And Mr. COLE and the folks that are behind H.R. 359, the underlying bill, are ultimately saying we can save \$617 million over a 10-year period. Mr. Speaker, that's according to the CBO.

So it comes down to a very simple thing. If you want to save the money, you defeat the amendment. If you want to play games on the day that we're all heading out, trying to act like you are full of transparency and openness, support the amendment.

I urge a "no" vote.

I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. WALZ of Minnesota. Parliamentary inquiry.

The SPEAKER pro tempore. Please state your parliamentary inquiry.

Mr. WALZ of Minnesota. Does the underlying bill cut spending? Does the motion cut spending?

The SPEAKER pro tempore. The Chair cannot respond to inquiries regarding the content of a pending proposition.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. WALZ of Minnesota. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 173, nays 228, not voting 33, as follows:

[Roll No. 24]

YEAS—173

Ackerman	Gutierrez	Pelosi
Andrews	Hanabusa	Perlmutter
Baldwin	Harman	Peters
Barrow	Hastings (FL)	Peterson
Bass (CA)	Higgins	Pingree (ME)
Becerra	Himes	Polis
Berkley	Hirono	Price (NC)
Berman	Holt	Quigley
Bishop (GA)	Honda	Rahall
Bishop (NY)	Hoyer	Rangel
Blumenauer	Inslee	Reyes
Boren	Israel	Richardson
Brady (PA)	Jackson (IL)	Richmond
Bralley (IA)	Jackson Lee	Ross (AR)
Brown (FL)	(TX)	Rothman (NJ)
Butterfield	Johnson (GA)	Fincher
Cardoza	Johnson, E. B.	Fitzpatrick
Carnahan	Jones	Flake
Carney	Kaptur	Rush
Carson (IN)	Keating	Ryan (OH)
Castor (FL)	Kildee	Sánchez, Linda
Chandler	Kind	T.
Chu	Kissell	Sanchez, Loretta
Ciциlline	Kucinich	Sarbanes
Clarke (MI)	Langevin	Schakowsky
Clarke (NY)	Lee (CA)	Schiff
Clay	Levin	Schrader
Cleaver	Lewis (GA)	Schwartz
Clyburn	Lipinski	Scott (VA)
Cohen	Lofgren, Zoe	Scott, David
Connolly (VA)	Lowey	Serrano
Conyers	Lujan	Sewell
Costello	Lynch	Sherman
Courtney	Maloney	Shuler
Critz	Markey	Sires
Crowley	Matheson	Slaughter
Cuellar	Matsui	Smith (WA)
Cummings	McCarthy (NY)	Stark
Davis (CA)	McCollum	Sutton
Davis (IL)	McDermott	Thompson (CA)
DeFazio	McGovern	Thompson (MS)
DeGette	McIntyre	Tierney
DeLauro	McNerney	Tonko
Deutch	Meeks	Towns
Dicks	Michaud	Tsongas
Dingell	Miller (NC)	Van Hollen
Donnelly (IN)	Miller, George	Velázquez
Edwards	Moore	Visclosky
Ellison	Moran	Walz (MN)
Engel	Murphy (CT)	Wasserman
Eshoo	Nadler	Schultz
Farr	Napolitano	Waters
Fattah	Neal	Watt
Filner	Oliver	Waxman
Fudge	Owens	Weiner
Gonzalez	Pallone	Wilson (FL)
Green, Al	Pascrell	Woolsey
Green, Gene	Pastor (AZ)	Wu
Grijalva	Payne	Yarmuth

NAYS—228

Adams	Altmire	Bachus
Aderholt	Amash	Barletta
Akin	Austria	Bartlett
Alexander	Bachmann	Barton (TX)

Bass (NH)	Graves (MO)	Paulsen
Benishkek	Griffin (AR)	Pearce
Berg	Griffith (VA)	Pence
Biggert	Grimm	Petri
Bilbray	Guinta	Pitts
Bilirakis	Guthrie	Platts
Bishop (UT)	Hall	Poe (TX)
Black	Hanna	Pompeo
Blackburn	Harper	Posey
Bonner	Harris	Price (GA)
Bono Mack	Hartzler	Quayle
Boustany	Hastings (WA)	Reed
Brady (TX)	Hayworth	Rehberg
Brooks	Heck	Reichert
Broun (GA)	Heller	Renacci
Buchanan	Hensarling	Ribble
Bucshon	Herger	Rigell
Buerkle	Herrera Beutler	Rivera
Burgess	Huelskamp	Roby
Burton (IN)	Huizenga (MI)	Roe (TN)
Calvert	Hultgren	Rogers (AL)
Camp	Hunter	Rogers (KY)
Campbell	Hurt	Rogers (MI)
Canseco	Issa	Rohrabacher
Cantor	Jenkins	Rokita
Capito	Johnson (IL)	Rooney
Carter	Johnson (OH)	Roskam
Cassidy	Johnson, Sam	Ross (FL)
Chabot	Kelly	Royce
Chaffetz	King (NY)	Runyan
Coble	Kingston	Ryan (WI)
Coffman (CO)	Kinzinger (IL)	Scalise
Cole	Klaine	Schilling
Conaway	Labrador	Schmidt
Cravaack	Lamborn	Schock
Crawford	Lance	Schweikert
Crenshaw	Landry	Scott (SC)
Culberson	Lankford	Scott, Austin
Davis (KY)	LaTourrette	Sensenbrenner
Denham	Latta	Sessions
Dent	Lee (NY)	Shimkus
DesJarlais	Lewis (CA)	Shuster
Dold	LoBiondo	Simpson
Dreier	Long	Smith (NE)
Duffy	Lucas	Smith (NJ)
Duncan (SC)	Luetkemeyer	Smith (TX)
Duncan (TN)	Lungren, Daniel	Southerland
Ellmers	E.	Stearns
Farenthold	Mack	Stivers
Fincher	Marchant	Stutzman
Fitzpatrick	Marino	Sullivan
Flake	McCaul	Terry
Fleischmann	McClintock	Thompson (PA)
Fleming	McCotter	Thornberry
Flores	McHenry	Tiberi
Forbes	McKeon	Turner
Fortenberry	McKinley	Upton
Sarbanes	McMorris	Walberg
Franks (AZ)	Rodgers	Walden
Frelinghuysen	Meehan	Walsh (IL)
Gallely	Mica	Webster
Gardner	Miller (FL)	West
Garrett	Miller (MI)	Westmoreland
Gerlach	Mulvaney	Wilson (SC)
Gibbs	Murphy (PA)	Wittman
Gibson	Myrick	Wolf
Gingrey (GA)	Neugebauer	Womack
Gohmert	Noem	Woodall
Goodlatte	Nugent	Yoder
Gosar	Nunnelee	Young (AK)
Gowdy	Olson	Young (FL)
Granger	Palazzo	Young (IN)
Graves (GA)	Paul	

NOT VOTING—33

Baca	Garamendi	Loeb sack
Boswell	Giffords	Lummis
Capps	Heinrich	Manzullo
Capuano	Hinchey	McCarthy (CA)
Cooper	Hinojosa	Miller, Gary
Costa	Holden	Nunes
Diaz-Balart	Jordan	Ros-Lehtinen
Doggett	King (IA)	Speier
Doyle	Larsen (WA)	Tipton
Emerson	Larson (CT)	Welch
Frank (MA)	Latham	Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1406

Ms. GRANGER changed her vote from "yea" to "nay."

Mr. WAXMAN changed his vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LARSEN of Washington. Mr. Speaker, on rollcall No. 24, I missed the vote inadvertently due to a constituent meeting in my office. Had I been present, I would have voted "yes."

Stated against:

Mrs. LUMMIS. Mr. Speaker, on rollcall No. 24, because I was having a root canal, had I been present, I would have voted "no."

Mr. TIPTON. Mr. Speaker, on rollcall No. 24, I was with a Medal of Honor winner. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. CONAWAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 160, not voting 35, as follows:

[Roll No. 25]

YEAS—239

Adams	Dold	Johnson (OH)
Aderholt	Donnelly (IN)	Johnson, Sam
Akin	Dreier	Jordan
Alexander	Duffy	Kelly
Altmire	Duncan (SC)	King (NY)
Amash	Duncan (TN)	Kingston
Austria	Ellmers	Kinzinger (IL)
Bachmann	Farenthold	Kline
Bachus	Fincher	Labrador
Barletta	Fitzpatrick	Lamborn
Bartlett	Flake	Lance
Barton (TX)	Fleischmann	Landry
Bass (NH)	Fleming	Lankford
Benishek	Flores	LaTourette
Berg	Forbes	Latta
Biggert	Fortenberry	Lee (NY)
Billray	Fox	Lewis (CA)
Bilirakis	Franks (AZ)	LoBiondo
Bishop (UT)	Frelinghuysen	Long
Black	Galleghy	Lucas
Blackburn	Gardner	Luetkemeyer
Bonner	Garrett	Lummis
Bono Mack	Gerlach	Lungren, Daniel
Boren	Gibbs	E.
Boustany	Gibson	Mack
Brady (TX)	Greigey (GA)	Marchant
Brooks	Gohmert	Marino
Broun (GA)	Goodlatte	Matheson
Buchanan	Gosar	McCaul
Buchson	Gowdy	McClintock
Buerkle	Granger	McCotter
Burgess	Graves (GA)	McHenry
Burton (IN)	Graves (MO)	McKeon
Calvert	Griffin (AR)	McKinley
Camp	Griffith (VA)	McMorris
Campbell	Grimm	Rodgers
Canseco	Guinta	Meehan
Cantor	Guthrie	Mica
Capito	Hall	Miller (FL)
Carter	Hanna	Miller (MI)
Cassidy	Harper	Mulvaney
Chabot	Harris	Murphy (PA)
Chaffetz	Hartzler	Myrick
Chandler	Hastings (WA)	Neugebauer
Coble	Hayworth	Noem
Coffman (CO)	Heck	Nugent
Cole	Heller	Nunnelee
Conaway	Hensarling	Olson
Cravaack	Herrera Beutler	Palazzo
Crawford	Huelskamp	Paul
Crenshaw	Huizenga (MI)	Paulsen
Cuellar	Hultgren	Pearce
Culberson	Hunter	Pence
Davis (KY)	Hurt	Petri
Denham	Issa	Pitts
Dent	Jenkins	Platts
DesJarlais	Johnson (IL)	Poe (TX)

Pompeo	Ryan (WI)
Posey	Scalise
Price (GA)	Schiff
Quayle	Schilling
Rahall	Schmidt
Reed	Schock
Rehberg	Schweikert
Reichert	Scott (SC)
Renacci	Scott, Austin
Ribble	Sensenbrenner
Rigell	Sessions
Rivera	Shimkus
Roby	Shuler
Roe (TN)	Shuster
Rogers (AL)	Simpson
Rogers (KY)	Smith (NE)
Rogers (MI)	Smith (NJ)
Rohrabacher	Smith (TX)
Rokita	Southerland
Rooney	Stearns
Ross (AR)	Stivers
Ross (FL)	Stutzman
Royce	Sullivan
Runyan	Terry

Thompson (PA)	Thornberry
Tiberi	Tipton
Turner	Upton
Walberg	Walden
Walsh (IL)	Webster
West	Westmoreland
Whitfield	Wilson (SC)
Wittman	Wolf
Womack	Woodall
Yoder	Young (AK)
Young (FL)	Young (IN)

NAYS—160

Ackerman	Harman
Andrews	Hastings (FL)
Baldwin	Himes
Barrow	Hirono
Bass (CA)	Holt
Becerra	Honda
Berkley	Hoyer
Berman	Inslee
Bishop (GA)	Israel
Bishop (NY)	Jackson (IL)
Blumenauer	Jackson Lee
Brady (PA)	(TX)
Brown (FL)	Johnson (GA)
Butterfield	Johnson, E. B.
Cardoza	Jones
Carnahan	Kaptur
Carney	Keating
Carson (IN)	Kildee
Castor (FL)	Kind
Chu	Kissell
Cicilline	Kucinich
Clarke (MI)	Langevin
Clarke (NY)	Larsen (WA)
Clay	Lee (CA)
Cleaver	Levin
Clyburn	Lewis (GA)
Cohen	Lipinski
Connolly (VA)	Lofgren, Zoe
Conyers	Lowe
Costello	Lujan
Courtney	Lynch
Critz	Maloney
Crowley	Markey
Cummings	Matsui
Davis (CA)	McCarthy (NY)
Davis (IL)	McCollum
DeGette	McDermott
DeLauro	McGovern
Deutch	McIntyre
Dicks	McNerney
Dingell	Meeks
Edwards	Michaud
Ellison	Miller (NC)
Engel	Miller, George
Eshoo	Moore
Farr	Moran
Fattah	Murphy (CT)
Filner	Nadler
Fudge	Napolitano
Gonzalez	Neal
Green, Al	Olver
Green, Gene	Pallone
Grijalva	Pascrell
Gutierrez	Pastor (AZ)
Hanabusa	Payne

NOT VOTING—35

Baca	Frank (MA)
Boswell	Garamendi
Braley (IA)	Giffords
Capps	Heinrich
Capuano	Herger
Cooper	Higgins
Costa	Hinche
DeFazio	Hinojosa
Diaz-Balart	Holden
Doggett	King (IA)
Doyle	Larson (CT)
Emerson	Latham

Pelosi	Perlmutter
Peters	Pingree (ME)
Polis	Price (NC)
Quigley	Rangel
Reyes	Richardson
Richardson	Richmond
Rothman (NJ)	Roybal-Allard
Ruppersberger	Rush
Ryan (OH)	Sánchez, Linda
Sánchez, Loretta	T.
Sarbanes	Schakowsky
Schakowsky	Schrader
Schwartz	Scott (VA)
Scott (VA)	Scott, David
Serrano	Sewell
Sherman	Sires
Slaughter	Smith (WA)
Stark	Sutton
Thompson (CA)	Thompson (MS)
Tierney	Tonko
Towns	Tsongas
Velázquez	Visclosky
Walz (MN)	Wasserman
Wasserman	Schultz
Waters	Watt
Waxman	Weiner
Wilson (FL)	Woolsey
Wu	Yarmuth

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HERGER. Mr. Speaker, on rollcall No. 25, I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Mr. BRALEY of Iowa. I regret missing a floor vote on Wednesday, January 26, 2011 due to a ceremony honoring Staff Sergeant Salvatore Guinta. Had I registered my vote, I would have voted: "nay" on rollcall 25, on final passage of H.R. 359—To reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions.

PERSONAL EXPLANATION

Mr. MANZULLO. Mr. Speaker, I missed two votes today because of weather-related conditions. If I had been here, I would have voted "no" on rollcall No. 24 and "yea" on rollcall No. 25.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on January 26, 2011 I missed rollcall votes 22 and 23, due to a family emergency. Had I been present on rollcall vote 22, I would have voted "no" or "nay". Had I been present on rollcall vote 23, I would have voted "yes" or "aye." Had I been present on rollcall vote 24, I would have voted "yes" or "aye." Had I been present on rollcall vote 25, I would have voted "no" or "nay."

PERSONAL EXPLANATION

Mr. COOPER. Mr. Speaker, I was unable to be present for several votes taken on the House floor earlier today. As a result, I missed rollcall Votes Nos 23, 24, and 25. Had I been present, I would have voted in the following manner: rollcall No. 23: "yea"; rollcall No. 24: "yea"; rollcall No. 25: "nay."

PERSONAL EXPLANATION

Mrs. CAPPs. Mr. Speaker, I was not able to be present for the following rollcall votes on January 26, 2011 and would like the RECORD to reflect that I would have voted as follows: rollcall No. 23: "yes"; rollcall No. 24: "yes"; rollcall No. 25: "no."

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.J. RES. 22

Mr. TURNER. Mr. Speaker, I ask unanimous consent to remove all cosponsors of H.J. Res. 22.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Ethics: