

to candidates who spend more than \$50,000 in personal funds on their own campaigns; establishes a clearinghouse of information within the FEC and strengthens FEC enforcement as well as the penalties for violating the foreign money ban. Shays-Meehan also clearly exempts educational voter guides.

Mr. Chairman, today both of our political parties are guilty of working in a system that is more "loophole than law."

In the words of my friend, the gentleman from Connecticut who continues to be the driving force behind the reform move in the House, "If we allow the status quo to continue, and stand by as . . . interest groups are shaken down by the political parties, the cherished ideals that bind our national identity—free elections; one person, one vote—become meaningless."

Mr. Chairman, let us show all Americans that their one vote is not meaningless, and that their active involvement in our political process is more valuable to us than any dollar amount could ever be.

As the New York Times concluded in its editorial yesterday, today "the House faces a test of its Members' sincerity and of whether it is listening to the public instead of special interest donors."

Who will we listen to, Mr. Chairman? To me, it's clear. I urge my colleagues to pass H.R. 417.

Mr. PORTMAN. Mr. Chairman, I rise in opposition to the Shays-Meehan legislation. I commend the sponsors for their efforts to clean up our broken campaign finance system, and I believe they are sincere in their efforts.

However, while the Shays-Meehan bill makes some needed changes, it fails to go far enough in addressing what I believe are real problems with our current campaign finance system. Shays-Meehan fails to address the underlying problems of special interest influence, foreign influence and built-in incumbent advantages that plague our current system. Moreover, soft money provision, while well-intentioned, raise serious Constitutional concerns. Most seriously, the bill does nothing to address the problem posed by special interest PACs, which contribute overwhelmingly to incumbents and discourage individuals from getting involved in the political process.

During the last Congress, I introduced campaign finance legislation containing limitations and increased disclosure for soft money, and other key provisions that go further than the Shays-Meehan bill. Among other features, the Restoring Trust in Government Act would have: banned the activities of special interest Political Action Committees (PACs); required 60% of campaign funds to be raised within a House candidate's district or a Senate candidate's state; clearly prohibited contributions by non-citizens; limited the "bundling" of campaign contributions; and completely banned taxpayer-financed unsolicited mass mailings by Members of Congress.

I believe these are all common sense changes that deserve consideration in the context of campaign finance reform.

Mr. Chairman, ultimately, I believe is virtually impossible for even the best intentioned incumbent Members of Congress to make truly sensible changes to the campaign finance system that helped them to get elected. That's why I would support the establishment of an independent commission—with a majority of members coming from outside of govern-

ment—to study the problems of our current campaign financing system and make recommendations for reform within a very specific timeline. These recommendations would then be submitted to Congress for a simple yes or no vote, similar to the way we handled the difficult issue of base closures.

I know commissions have a checkered history in Washington, but they can work if they are given the opportunity. I know from my own experience as co-chairman of the National Commission on Restructuring the IRS, which recommended a successful package of IRS reforms that ultimately passed Congress and were signed into law. I would also add that, if we had taken the step of establishing a non-partisan campaign finance commission when we had the chance last year, we would be considering a nonpartisan commission's report today, instead of essentially the same Shays-Meehan legislation that failed to pass the Senate last year.

If we're really serious about campaign finance reform, I believe we have no choice but to take it *out* of the political process entirely. I hope, when we next consider campaign finance reform, we will have the courage to support real campaign finance reform that can be enacted into law.

Mr. PAUL. Mr. Chairman, campaign finance reform is once again being painted as the solution to political corruption in Washington. Indeed, political corruption is a problem, but today's reformers hardly offer a solution. The real problem is that government has too much influence over our economy and lives, creating a tremendous incentive to protect one's own interests by 'investing' in politicians. The problem is not a lack of federal laws, or rules regulating campaign spending, therefore more laws won't help. We hardly suffer from too much freedom. Any effort to solve the campaign finance problem with more laws will only make things worse by further undermining the principles of liberty and private property ownership.

The reformers are sincere in their effort to curtail special interest influence on government, but this cannot be done while ignoring the control government has assumed over our lives and economy. Current reforms address only the symptoms while the root cause of the problem is ignored. Since reform efforts involve regulating political speech through control of political money, personal liberty is compromised. Tough enforcement of spending rules will merely drive the influence underground since the stakes are too high and much is to be gained by exerting influence over government—legal or not. The more open and legal campaign expenditures are, with disclosure, the easier it is for voters to know who's buying influence from whom.

There's tremendous incentive for every special interest group to influence government. Every individual, bank or corporation that does business with government invests plenty in influencing government. Lobbyists spend over a hundred million dollars per month trying to influence Congress. Taxpayers dollars are endlessly spent by bureaucrats in their effort to convince Congress to protect their own empires. Government has tremendous influence over the economy, and financial markets through interest rate controls, contracts, regulations, loans, and grants. Corporations and others are 'forced' to participate in the process out of greed as well as self-defense—since

that's the way the system works. Equalizing competition and balancing power such as between labor and business is a common practice. As long as this system remains in place, the incentive to buy influence will continue.

Many reformers recognize this and either like the system or believe that it's futile to bring about changes and argue that curtailing influence is the only option left even if it involves compromising the liberty of political speech through regulating political money.

It's naive to believe stricter rules will make a difference. If enough honorable men and women served in Congress and resisted the temptation to be influenced by any special interest group, of course this whole discussion would be unnecessary. Because Members do yield to the pressure, the reformers believe that more rules regulating political speech will solve the problem.

The reformers argue that it's only the fault of those trying to influence government and not the fault of the Members who yield to the pressure or the system that generates the abuse. This allows Members of Congress to avoid assuming responsibility for their own acts and instead places the blame on those who exert pressure on Congress through the political process which is a basic right bestowed on all Americans. The reformer's argument is "stop us before we succumb to the special interest groups."

Politicians unable to accept this responsibility clamor for a system that diminishes the need for politicians to persuade individuals and groups to donate money to their campaign. Instead of persuasion they endorse coercing taxpayers to finance campaigns.

This only changes the special interest groups that control government policy. Instead of voluntary groups making their own decisions with their own money, politicians and bureaucrats dictate how political campaigns will be financed. Not only will politicians and bureaucrats gain influence over elections, other nondeservers will benefit. Clearly, incumbents will greatly benefit by more controls over campaign spending—a benefit to which the reformers will never admit.

The media becomes a big winner. Their influence grows as private money is regulated. It becomes more difficult to refute media propaganda, both print and electronic, when directed against a candidate if funds are limited. Campaigns are more likely to reflect the conventional wisdom and candidates will strive to avoid media attacks by accommodating their views.

The wealthy gain a significant edge since it's clear candidates can spend unlimited personal funds in elections. This is a big boost for the independently wealthy candidates over the average challenger who needs to raise and spend large funds to compete.

Celebrities will gain even a greater benefit than they already enjoy. Celebrity status is money in the bank and by limiting the resources to counter-balance this advantage, works against the non-celebrity who might be an issue-oriented challenger.

This current reform effort ignores the legitimate and moral "political action committees" that exist only for good reasons and do not ask for any special benefit from government. The immoral "political action committees" that work only to rip-off the taxpayers by getting benefits from government may deserve our condemnation but not the heavy hand of government anxious to control this group along

with all the others. The reformers see no difference between the two and are willing to violate all personal liberty. Since more regulating doesn't address the basic problem of influential government, now out of control, neither groups deserves more coercive government rules. All the rules in the world can't prevent members from yielding to political pressure of the groups that donate to their campaigns. Regulation cannot instill character.

Additionally, the legislative debate over campaign finance reform has seemingly focused upon the First Amendment guarantee of freedom of speech, as interpreted and applied by the courts. The constitutional issues, however, are not limited to the First Amendment. To the contrary, pursuant to their oaths of office, members of Congress have an independent duty to determine the constitutionality of legislation before it and to decide, before ever reaching the First Amendment, whether they have been vested by the Constitution with any authority, at all, to regulate federal election campaigns. Congress has no authority except that which is "granted" in the Constitution. Thus, the threshold question concerning H.R. 417 is whether the Constitution has conferred upon Congress any authority to regular federal election campaigns. The authority to regulate such campaigns is not found among any enumerated power conferred upon Congress.

More regulation of political speech through control of private money, without addressing the subject of influential government only drives the money underground, further giving a select group an advantage over the honest candidate who only wants smaller government.

True reform is not possible without changing the role of government, which now exists to regulate, tax, subsidize, and show preferential treatment. Only changing the nature of government will eliminate the motive for so many to invest so much in the political process. But we should not make a bad situation worse by passing more bad laws.

Mr. LANTOS. Mr. Chairman, I urge my colleagues to join me in supporting H.R. 417, the Bipartisan Campaign Finance Reform Act of 1999, and to oppose all of the cynical "poison pill" amendments that have been introduced to undermine support for this important legislation. H.R. 417 contains a number of essential reforms to our federal system of financial elections in our political system.

Mr. Chairman, I commend our distinguished colleagues, my friend Mr. CHRISTOPHER SHAYS of Connecticut and Mr. MARTIN MEEHAN of Massachusetts, for introducing this extremely important bill.

The most significant provision of the Campaign Finance Reform Act would effectively ban unregulated "soft money" from our political process, abolishing once and for all this legal loophole through which hundreds of millions of dollars are poured into our national electoral process every election cycle. Soft money has made a mockery of our existing campaign finance laws, which are permitting big money interests to exert a massively disproportionate influence upon the selection of our nation's president, as well as congressman and senators. This is wrong and it must be stopped.

The Campaign Finance Reform Act would also regulate sham issue ads, which are truly campaign expenditures. The use of such

"issue ads" is a gaping hole in our election laws. This law would improve the disclosure and enforcement capabilities of the Federal Election Commission, and it would establish an independent commission to study further reforms that may be needed in order to help us make future necessary changes in our campaign finance system.

Mr. Chairman, this same legislation was adopted by the House of Representatives during the 105th Congress with the overwhelming support of the American people. Despite the popular demand for reform, those members who are defending our hopelessly flawed campaign finance system continue to use "Delay" and obstruction tactics to undermine the prospects for the passage of H.R. 417. These opponents of comprehensive reform—unfortunately with the backing of the Republican leadership—are sponsoring seven "poison pill" amendments to divide the coalition supporting the Bipartisan Campaign Finance Reform Act. I urge my colleagues to reject these transparent gimmicks and to vote to restore American citizens' trust in the "People's House." Our constituents deserve as much.

Mr. Chairman, I submit an editorial from this morning's Washington Post which, I believe, effectively sets forth the strong case for the passage of H.R. 417. I urge all of my colleagues to give attention to this very thoughtful opinion.

[From the Washington Post, Sept. 14, 1999]

YES TO CAMPAIGN FINANCE REFORM

The House has what ought to be an easy vote today—"yes" on campaign finance reform. The bill the reluctant Republican leadership has finally brought to the floor passed by a vote of 252 to 179 in the last Congress. Most of the same members are back. The need is, if anything, greater; they have no reason to renege.

The modest measure, by Reps. Christopher Shays and Martin Meehan, seeks to halt only the most egregious of the fund-raising abuses that flourished in the last campaign. It would bar the use of the national party organizations to raise and spend, on behalf of their candidates, "soft" money that the candidates are forbidden by law to raise and spend themselves. It seeks to limit the use of other, nominally independent organizations to raise and spend such money in the form of "issue ads" as well.

The leadership, having been forced by threat of a discharge petition to let the bill on the floor, has sprinkled obstacles in its path. Ten amendments will be in order. They were carefully written to sound innocuous while either weakening the bill or poisoning it for Democrats who might then relieve the Republicans of responsibility by taking the lead in voting no. One purports to defend voter guides but, as written, would likely make all issue ads unassailable. One, of dubious constitutionality, would require candidates to raise half their contributions in their home states; its adoption would likely drive Democrats from low-income districts to reject the entire bill. Everyone understands this. The amendments should be voted down, as should the three substitutes that will then also be in order. They too are weaker than the bill. One, by Rep. Bill Thomas, is a deliberate nullity, the theory being that no one will bother to vote against it. But if any of these passes, the underlying bill is dead. That too is well understood.

The bill that passed last year was deflected by the Republican leadership in the Senate. This one faces similar resistance. It is a subject that, more than any other, causes hy-

pocrisy to flower. The president, whose flagrant circumvention of the law in 1996 helped prompt the legislation, now takes the lead in supporting it. The Republicans, meanwhile, having spent the better part of the last Congress rightly denouncing his behavior, now block the bill that would outlaw it; they, it turns out, are the ones who profit most from the system they deplore. The parties are raising far more soft money in this cycle than they did in the last. The campaign finance law has pretty well ceased to exist, except on paper. Shays-Meehan would begin to restore it. That's what this vote is about.

Mr. LARSON. Mr. Chairman, I rise today in strong support of the Bipartisan Campaign Reform Act (H.R. 417). First, I would like to commend my colleagues, Representatives CHRISTOPHER SHAYS and MARTIN T. MEEHAN, for the extraordinary amount of hard work they put forth to bring this bill before us today. It is a testament to their diligence and tenacity that they have successfully defeated the obstacles that have been placed in the way of this important legislation.

I believe that it is time to change the nature of today's political campaigns. Working people are losing their voice in the political process, and losing faith in their officials because their vote is being drowned in a sea of negative attack ads. These reforms would tighten the campaign finance laws to keep outside groups from running sham ads, and reduce the impact of obscure, faceless groups and their money on our elections. I believe that this bill is a bipartisan effort to restore faith in our Government, which is why it is one of the first bills I co-sponsored.

I have been in politics for many years and I know that too much money is spent in political campaigns, and real people are losing their voice in elections. We need to bring campaigns back to the basics so that big money influences are put in check, and unregulated "soft" money is taken out of politics.

Many people are distrustful of the political process, and rightfully so. They don't vote in elections because major outside groups and parties have too much leverage. This reform bill is a bipartisan effort to restore faith in our Government and open up the political system. This measure aggressively targets the big money in politics and brings campaigns back to the people. These reforms are responsible, logical, and best of all, workable within our current system. Therefore, Mr. Chairman, I urge my colleagues to support the Shays-Meehan bill and vote against the many "poison-pill" amendments that have been allowed to be offered today.

Mr. KUCINICH. Mr. Chairman, today, the House of Representatives decides whether elections will continue to be controlled by a wealthy and powerful elite, or whether a significant curb on their hold over the American political process will be put in place.

H.R. 417, the Shays-Meehan Campaign Finance reform bill will help to give elections back to the people by curbing the influence of the moneyed interests.

Do not be fooled by the amendments offered today. They are intended to gut the Shays-Meehan Campaign Finance Reform bill. The rules of today's debate were designed to undermine real campaign finance reform with a series of poor substitutes.

The real test of whether this House supports campaign finance reform or thwarts it is this: we must defeat all substitute amendments and