I strongly disagree with that position. I strongly believe that all Americans should have the right to contribute to campaigns; no one should be compelled against their will to contribute to political causes and campaigns.

So, Mr. President, at 11 o'clock, we are going to vote on McCain-Feingold, which is a substitute amendment, which strikes the underlying voluntary campaign contribution language. I hope that we will defeat McCain-Feingold. Then I hope that we will pass—regardless of what happens to McCain-Feingold, the underlying bill, the Paycheck Protection Act, the voluntary contributions act.

I hope that my colleagues, regardless of what happens on McCain-Feingold, will vote for voluntary campaign contributions for all Americans. That is what the second vote is about. I hope that we will vote for it and we can get cloture.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I yield myself such time as I require.

The PRESIDING OFFICER. The Senator from Wisconsin.

PAYCHECK PROTECTION ACT

Mr. FEINGOLD. Mr. President, we are reaching another stage in the campaign finance reform debate today. I certainly sympathize with the Senator from Oklahoma when he is concerned about some ways in which his bill has been characterized. I have had the experience here on the floor this week of having the McCain-Feingold bill compared, first, to a human rights violation and, also, as very similar to the Alien and Sedition Acts.

So, clearly, sometimes the rhetoric gets a little carried away. But what is really going on here today in the U.S. Senate just has to make the American people shake their heads. How can they look at this and not wonder what is going on? They can see a clear bipartisan majority in favor of campaign finance reform; and the bipartisan majority isn't for the majority leader's antilabor bill.

The majority support that has been demonstrated over and over again this week is for the McCain-Feingold bill. I think people in Wisconsin, in particular, have to be shaking their heads, because the one thing I have learned in 15 years of representing the people of Wisconsin is that they really dislike partisanship.

They understand the need for a two-party system. They like the two-party system. They understand the fact that you talk as Republicans and Democrats at election time, because you have to have parties and you have to have an election, but they really, really do not like it when you keep talking and acting like the whole issue is Republican versus Democrat after the election. What they want is for us to work together. What they like best is when we can come together as Republicans and Democrats in bipartisan coalitions.

Mr. President, as I have gone to every county in Wisconsin every year I've been in the Senate and have held town meetings, and when I just mention the fact that I am working with a Republican, the Senator from Arizona, before they even know what the topic is, people applaud, because they crave bipartisan cooperation in this country.

Mr. President, the American people are shaking their heads because they know this is a very unusual bipartisan coalition. The Senators involved in this issue know the details of the bill in a way that maybe many Americans do not know. So they did not just applaud when they heard the title; they have looked at it very carefully and they have considered it and shown this week that the majority of the U.S. Senate wants this change in our campaign finance laws, and they want it now.

So, Mr. President, what we have is a bipartisan majority and a partisan minority. We have Republicans and Democrats together, at least 52 of them, in favor of the bill and a smaller group from one party opposing the bill. Mr. President, we have a bipartisan agreement on the merits of the bill, and we have a partisan desire to kill it.

Mr. President, we have a bipartisan majority of the Senate that understands that this issue obviously isn't just about union dues. This is the most absurd proposition. The entire range of things we have seen about the campaigns—the soft money, the coffees, the foreign contributions, the labor unions, the independent groups, the corporations—the majority of this body knows all of these things are part of the big money problem. The partisan minority says the whole problem is unions, and not even unions, just how they obtain their dues.

The fact is, the bill that the majority leader brought forth is nothing but a poison pill. Now, maybe that was not his intent. You know, if you give somebody a poison pill by accident, it still kills them. So, I am not suggesting this was the intent. It is the fact. If that provision becomes the heart of this bill, it kills the bill. I am happy to say it is almost irrelevant, because a majority of this body has made it clear this week that it does not support having that be a part of the McCain-Feingold bill. That is one thing we achieved this week.

So, Mr. President, what we have here today is a bipartisan desire, a passion for reform and for change, and a partisan insistence that we do absolutely nothing, that we do nothing.

Now, one argument that has been made, Mr. President, is that, even though there are obviously some Republicans in support of the bill, it really isn't a bipartisan bill, that somehow, because of the nature of the Republican cosponsors, it isn't a bipartisan bill. This has been said over and over again.

It was said when they said we only had two Republicans; then they said it when we only had three Republicans; and then they said it when we only had four Republicans—it is not really a bipartisan bill. Now, with seven Republicans and all the Democrats in unanimity, they still say this is really not a bipartisan bill.

Well, who are these Republicans? Are they renegades? Are they coconspirators with the Democratic Party? Are they secret allies of organized labor? Who are these seven Republicans?

Well, one, the lead author, is the chairman of the Commerce Committee, somebody who is often mentioned as a Presidential candidate. Another is the chairman of the Governmental Affairs Committee, who is also mentioned as a Presidential candidate. There is a Senator from Pennsylvania from the majority party who supports this, a distinguished member of the Judiciary Committee and a former chairman of the Intelligence Committee who supports this bill.

There is the chairman of the Environment and Public Works Committee, the distinguished Senator from Rhode Island, one of the most distinguished Members of this body. He has indicated, by his votes this week, that he supports change. The chairman of the Labor Committee supports this bill. And, finally, two individuals who are not yet chairmen but who are the two Senators from the leading reform State in this Nation, the State of Maine, Senator COLLINS and Senator SNOWE, Republicans, but people who care about this country enough to join together with the Democrats to try to pass campaign finance reform.

So let me just return to the first name—JOHN MCCAIN. JOHN MCCAIN's name on this bill alone obviously makes it a bipartisan bill. But, more importantly, the senior Senator from Arizona knows that, even though this obviously must cause him partisan heartburn, he always does what is best for this country. So, he has taken enormous heat on this issue.

This is surely a bipartisan effort and a strong one. Mr. President, what we have shown this week is that we have a working majority, not just on paper, but a group that will vote together as a block for reform. We won vote after vote this week. The majority leader of the U.S. Senate tried to table our bill once, twice, and three times, and he lost every time.

How often does the majority leader of the U.S. Senate lose with 55 Members in his caucus? I do not think we have had this few Democrats in decades in this body. How does the majority leader not win on any of those votes unless there is a clear bipartisan majority in favor of change? So my point, Mr. President, is we are winning and the opposition is losing. To be sure, it is a long, hard road. The senior Senator from Arizona has warned me about that time and again.

But we will look for every opportunity today on these votes, tomorrow, next week, and all the rest of this session, to get the additional support that we need to pass this bill. Because in the end Mr. President, can Members of the Senate go back home and tell the voters, ''We had a terrible problem in Washington. There was corruption. There was wrongdoing. There was the terrible abuse of big money. And we decided to do absolutely nothing about it''? That is what the partisan minority has decided is the end of the story.

Well, when people vote next year, they will not be shaking their heads; they will be casting their ballots. And they will now know who thought it is time to return the power to the people back home and who decided to leave it all here in Washington with the Washington gatekeepers. That is what is at stake today. And that is what is at stake on these cloture votes.

So, Mr. President, with that, I will yield—could I ask how much time remains for myself?

The PRESIDING OFFICER. The Senator has 19 minutes remaining.

Mr. FEINGOLD. Mr. President, I yield 7 minutes to the distinguished Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Thank you, Mr. President.

(The remarks of Mr. CONRAD pertaining to the introduction of S. 1681 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BRYAN. Mr. President, I am pleased that the Senate is finally discussing and debating the issue of campaign finance reform. I commend Senator MCCAIN and Senator FEINGOLD for their diligent work and for what has been a tireless effort on their behalf in forging a bipartisan compromised legislation. I rise today not only to advocate my strong support of the McCain-Feingold bill but to urge my colleagues on the other side of the aisle to pass this campaign finance reform proposal that is so desperately needed to renew the trust in the political process and our democratic institutions. At the same time, I know the Senate leadership and the majority of those on the other side of the aisle have decided there will be no campaign finance reform of any kind. And so, they have killed a reasonable attempt at urgently needed reform; an attempt to close greatly exploited loopholes.

Along with the support of all 45 Democrats and the seven Republicans who support the effort of reform, the Senate Democratic Leader, Senator DASCHLE, pressed hard to bring this important issue back to the Senate floor for a vote. Despite the Republican leaders who oppose campaign finance reform and who have for so many years tried vigorously to thwart real reform, this legislation has strong support, including the backing of President Clinton.

Last year when the Senate turned to campaign reform legislation, the Majority Leader offered an amendment to block campaign finance reform and followed through with a procedural motion to deadlock the Senate. It was an effort to kill campaign finance reform without debate and without a vote. However, later that year, the Majority and Minority Leaders struck a unanimous consent agreement that would afford us with the opportunity to once again debate and consider McCain-Feingold and other issues related to reform legislation, or so we thought.

Mr. President, the Senate leadership this week has introduced the same poison pill legislation that was introduced last year as an amendment. Its sole purpose is to kill the cause of campaign finance reform. Once again, this is a clear indication that from the other side of the aisle that Republicans are not serious about reforming our campaign laws.

Some of my colleagues may argue that campaign finance reform is not an important issue to the American voter; I expect we will hear this refrain from a number of my colleagues. But, is that really the case? Or are they just hoping and trying to make us believe that is the case? Because the polls tell us differently?

The polls show Americans do care about the way their political system works. A full 83% of respondents to an October 1997 ABC News/Washington Post poll believed that campaign finance reform should be a goal for lawmakers. In a June NBC/Wall Street Journal poll, 62% of those questioned supported an overall reform package that called for reducing contributions from political action committees, establishing spending limits, and eliminating large contributions to political parties.

The truth of the matter is campaign finance reform is a very important issue and the public does want reform. Yet, the polls also tell us that many American voters have become deeply cynical about whether their elected representatives will have the courage to check their own self interest and summon the courage to enact real campaign finance reform. In the ABC/Washington Post poll, when respondents were asked whether reform will occur, 59% answered ''no.'' This poll tells us that a large majority of Americans believe, once again, that politicians' self-interest will trump the public will.

There is no reason to believe that the public's opinion is going to change. And why should it? After watching the enormous amount of money spent on the 1996 elections, the hearings held over the 1996 fund-raising controversy, and the aborted effort to pass campaign finance reform last year, it is likely that the public's cynicism will only continue to grow.

Campaign finance reform is an issue that deserves our full consideration. It is our underlying responsibility to keep our own house in order, to begin to restore the integrity of the campaign system and to renew our faith in our democracy. If we miss this opportunity, and we do not heed the call to stem the ever-rising tide of money in American politics, then the confidence of the American public and the very fabric of our political system will only continue to erode.

Mr. President, the time to begin the renewal is now, or last year when we were stopped. It is past time to restore the public trust and to pass campaign finance reform legislation. We could start by adopting the McCain-Feingold compromise bill. The revised McCain-Feingold legislation is a very modest but important proposal which was modified to attract Republican support. McCain-Feingold no longer limits PAC money. It does not establish spending limits. It does not impose free tv time for candidates and it does not provide postage discounts for candidates. The McCain-Feingold amendment that we are discussing today has been stripped down to the bare minimum of what needs most to be changed to stop the downward spiral of our political system.

The McCain-Feingold proposal addresses two important issues that could begin to turn our campaign system around. The legislation proposes to ban soft money contributions to our national political parties and to curb the use of attack advertisements hidden behind so-called ''issue advocacy'' campaigns.

SOFT MONEY

We all know that political parties have raised enormous amounts of money through soft contributions. In the 1996 election cycle, the two major parties alone raised $263.5 million—almost three times the amount raised in the 1992 election cycle. And unless we act now to stop soft money from careening out of control, these contributions will only climb higher and higher. There is simply no way to achieve real campaign finance reform without ending the soft money machine that has encouraged the exorbitant contributions that we have seen from corporations, labor unions and wealthy individuals. The McCain-Feingold plan would put an end to the outrageous abuses of the soft money system.

The Federal Elections Commission recently proposed a ruling to address the issue of ''soft money.'' While I prefer that Congress take the lead and pass McCain-Feingold, if we fail to do this then I will be prepared to embrace the FEC's effort to ban soft money and hope that they follow through. Sadly, that is not their track record.

ISSUE-ADS

Mr. President, the recent explosion in the so-called ''independent expenditure or issue ads'' also causes me great concern. Independent expenditure ads are one of the very reasons the campaign system is out of control. During the last election cycle, a large number of television ads that saturated the media weeks before the elections were

attack ads on candidates, challengers and incumbents. No one is accountable for sponsoring the ad. There is no disclosure requirement which is what I find most frustrating. We all know that these ads are really intended to defeat a candidate and are often coordinated with the opposition campaign. Simply put, these ads are not genuinely independent nor are they strictly concerned with issue advocacy.

The ''issue advocacy'' provision in McCain-Feingold is designed to provide a clear distinction between expenditures for communications used to advocate candidates and those used to advocate issues. The bill establishes a bright line test 60 days out from an election. Any independent expenditure that falls within that 60-day window could not use a candidate's name. If a federal candidate's name is mentioned in any television or radio communication within 60 days of an election, for example, then this candidate-related expenditure will be subject to federal election law and must be disclosed and financed with so-called ''hard dollars.''

The Supreme Court has ruled that only communications that contain ''express advocacy'' of candidates are subject to federal disclosure requirements and restrictions. If parties and groups want to run ''issue ads'' to promote an issue—they can, and they will not be subject to federal election law so long as a candidate's name is not mentioned in the ad within that 60-day period.

While I am a cosponsor and a strong supporter of the McCain-Feingold legislation, I wish it included other important reforms. It does not include what I believe is one of the most critical components of reform which is overall spending limits. I have consistently supported legislation to limit the amount candidates can spend and have been a cosponsor since coming to the Senate of a proposal to limit spending offered by my good friend Senator HOLLINGS. I believe this should be included in any effort to reform our campaign laws.

Last year, my distinguished colleague, the senior Senator from Arkansas, announced on the floor of the Senate that he too would now support Senator HOLLINGS's constitutional amendment to limit campaign spending despite his reservations about amending the Constitution. In debating this issue in 1997, Senator BUMPERS said:

> I will do almost anything to change the way we finance campaigns in this country, because I am absolutely convinced that this system is totally destructive to our democracy.

I could not agree more with my colleague. I continue to believe that we must ultimately address the issue of spending limits.

Mr. President, we have been provided a second opportunity to vote for campaign finance reform this Congress. I urge my colleagues to do what is right for the future of our campaign system and support the McCain-Feingold legislation. Nothing less will begin to restore the American public's waning confidence in its government.

Mr. KERRY. Mr. President, some years ago this body was graced by the presence of an extraordinary woman from the State of Maine. Senator Margaret Chase Smith came to be known by her trademark red rose, an apt symbol for a woman who epitomized the bipartisan spirit that leads to good legislation for our constituents and the country.

I supported the amendment offered by the current Senior Senator from Maine [Ms. SNOWE], which the Senate passed last night and added to the McCain-Feingold campaign finance reform proposal, because, like much of the bipartisan work of her distinguished predecessor, Margaret Chase Smith, this amendment—if the Senate ever is allowed to vote on it and, as I am confident it will, add it to the campaign finance reform legislation the majority of Senators have demonstrated they want to pass—can help to advance the cause of genuine campaign finance reform.

As I said on Tuesday, the McCain-Feingold legislation is by no means a perfect bill. But the original version of that bill moved us significantly in the right direction toward reforming our campaign finance laws.

But among the many obstacles, procedural and otherwise, which are standing in its way is a cynical bill, the Lott-McConnell bill, the so-called, misnamed ''Paycheck Protection'' legislation, which is offered to us under the guise of campaign reform. Mr. President, it is no such thing. Make no mistake—the Lott-McConnell bill is not reform. It is a devious device designed to divide the supporters of real reform in order to defeat McCain-Feingold.

But the Lott-McConnell bill is not merely a poison pill, presented in a cynical effort to destroy any chance for reform. It is also bad legislation.

Let me explain why. First, McCain-Feingold already codifies the Beck decision; it requires unions to notify nonmembers of the right to a reduction in fees if they object to the use of those fees for campaign purposes. Lott-McConnell, instead, covers only union members. It constitutes an unacceptable intrusion into the right of free association of union members which is guaranteed by the same First Amendment its proponents profess to care so much about. It also is grossly, transparently discriminatory, singling out only unions, because the authors of this bill have concluded that unions more often than not support their opponents, or the opponents of other candidates from their party.

Like any members of voluntary organizations, those working men and women who choose to join and receive the privileges of union membership, such as voting for officers, running for office and choosing the rules that guide the union, cannot pick and choose which union expenses they want to fund. The union makes those decisions according to its organizational procedures. Those who like what the union does can choose to affiliate. Anyone who does not like what the union does—in any respect, be it campaign involvement or otherwise—can choose not to affiliate.

Just imagine the outcries from the National Rifle Association, or from thousands of other organizations from one end of the philosophical spectrum to the other, if they had to seek advance written approval from their members each time they sought to take a position on an issue or broadcast their views.

The Chamber of Commerce does not let a member cut its dues by the amount spent lobbying against air pollution regulations if the member happens to disagree with that position. The NFIB did not provide such an option to its small business members when, although many of them understood the need for the long-overdue minimum wage increase we recently adopted, the organization spent its funds to fight the legislation to increase the minimum wage. It is impossible to run any organization that way—and the Senators from Kentucky and Mississippi both know that.

Although this totally one-sided, anti-union provision does nothing to curtail the freedom of giant corporations to play fast and loose with our current campaign finance system, this unimaginative recycling of a tired idea still has the potential to divide us. And that is why I supported, and urged my colleagues to support, the Snowe Amendment, and why I oppose and will vote against cloture on the Lott-McConnell proposal.

I commend Senators SNOWE, JEFFORDS and CHAFEE for their courage and for their serious effort to keep hope for real campaign finance reform alive. In the context of McCain-Feingold, it deserves our support. Their amendment, offered to replace the Lott-McConnell proposal, would, in essence, prevent both labor unions and for-profit corporations from using their treasury funds to run any broadcast ads which mention candidates within 30 days of a primary and within 60 days of a general election. The Snowe-Jeffords-Chafee amendment thereby places essentially the same limits on union and corporate spending as S. 25, the McCain-Feingold bill—but it takes the added step of specifically naming unions and corporations as the target of those limits.

It is important to note that the Snowe amendment would not restrict unions or corporate PACs from using ''hard money''—that is, funds regulated by federal campaign finance laws—to pay for such ads, but these PACs would be subject to all the reporting and contribution limits applying to all other PACs.

The ads which are the targets of this legislation are ads paid for with union and corporate soft money, and which clearly identify candidates and are

aired close to the election, despite the phony claim that they are ''issue ads.'' They are not now subject to federal election laws and their greatly expanded use was a major new development in the 1996 elections. The Annenberg Center for Public Policy estimates that all such soft money ads totaled at least $135 to $150 million. The political parties spent about $78 million of this amount for such soft money ads in the 1996 cycle. The AFL-CIO spent about $25 million. Big business groups, including the Coalition, the Coalition for Change, the Nuclear Energy Institute, the U.S. Chamber of Commerce and others, spent nearly $10 million dollars. If we were simply to ban soft money contributions to the parties, the soft money expenditures made by Labor and corporations would increase exponentially.

The Snowe Amendment also makes it unlawful for corporations or unions to launder their treasury funds by contributing to the costs of such ads produced by outside groups, including the so-called non-profits which took a much more active, and largely negative, role in the last election.

Finally, and very importantly, the amendment addresses all other radio or TV ads paid for by soft money that mention candidates during the period 30 days before a primary or 60 days before a general election. It will require anyone making or contracting to run TV or radio ads during those periods to disclose to the FEC all contributions in excess of $500 which are used to pay for producing or airing those ads if they name candidates, once any such person or group has spent $10,000 or more on such advertisements.

In considering what this amendment can achieve, we should remember that the McCain-Feingold substitute itself, with its soft money ban, would prohibit the national party ads for which payment is made with soft money (that is, contributions not subject to regulation under the federal campaign laws) that attack candidates. The recent special election to replace the retiring Congresswoman from the 13th District of New York featured $800,000 of such ads paid for by the Republican Party—and all of them were broadcast in the last ten days of that election.

The greatest virtue of the Snowe-Jeffords-Chafee Amendment is that it is a good faith effort to address this concern squarely but fairly. Like the McCain-Feingold legislation it amends, it is not perfect. But it enables the advocates of real campaign reform to defeat the grossly unfair Lott-McConnell legislation, assuming the Republican leadership ever permits it to proceed that far legislatively, and that, in turn, keeps real campaign finance reform legislation alive.

I commend Senators SNOWE, JEFFORDS and CHAFEE for their serious effort.

Mr. President, we all know that the parliamentary machinations and filibustering tactics of the Republican leadership that opposes real campaign reform may succeed in preventing us from passing any legislation containing this provision. But with this amendment, there remains a possibility of success.

On Tuesday, the motion to table McCain-Feingold failed. Last night, having been modified by Snowe-Jeffords-Chafee, another effort to table it failed again. Now it is beyond dispute that there is a majority for genuine reform in this body.

I hope the Republican leadership will acknowledge the bipartisan support for McCain-Feingold, as amended by Snowe-Jeffords-Chafee, and will permit this body to act decisively on the single most important issue facing the Congress this year.

Mr. SARBANES. Mr. President, I rise to express my dismay that, just like last fall, the Republican leadership is preventing the Senate from conducting a broad, thoughtful debate on the issue of campaign finance reform.

Mr. President, the controversy surrounding our system of elections is not a new phenomenon. I can recall the 100th Congress, during which then-Majority Leader BYRD held a total of seven cloture votes in order to effect reform in this critical area. Sadly, we were not able to command a filibuster-proof majority then and this situation has not improved under the current leadership.

It is my view that in order for our nation as a whole to be strong, our public and private institutions must be strong—our schools, our churches, and our governmental institutions must be vital instruments of democratic participation, and must instill in the people a confidence in and enthusiasm for our way of life. I am very concerned that, to the contrary, the people are growing increasingly cynical about public life. They are staying away from the polling place in increasingly large numbers, diminishing the level of political debate and the health of our public institutions. This is in large part due to their perception that money, rather than the popular will, drives electoral outcomes. Under these circumstances, meaningful campaign finance reform becomes vital to the health of our system of government and our way of life.

Mr. President, a majority in the Senate—all Democrats, including myself, and a few courageous Republicans—agree with the American public that our system of campaign financing needs repair. Regrettably, however, an effective debate in the Senate on what should be done is impossible, so long as the Republican leadership insist on using parliamentary tactics to prevent Senators from offering and debating amendments that will help us clarify the nature and gravity of the campaign finance problem. These technical ploys are not simply designed to determine the outcome of the campaign finance debate—they are designed to preclude debate altogether, and to deny those advocates of campaign finance reform even the opportunity to garner a filibuster-proof majority in favor of reform.

Mr. President, these kinds of maneuvers formed the Republican strategy last fall, when campaign finance reform legislation was successfully blocked, and here they are again. Such measures violate the Senate's reputation for thoughtfulness and deliberation, in which it rightly takes such pride. If the Republican leadership has the votes to defeat important and necessary campaign finance reform, so be it—I would not agree with this outcome, but it would at least comport with the way the Senate should conduct its business. To preclude altogether the consideration of amendments and a full and fair debate on the issue is something altogether different, and is inconsistent with the Nation's needs and desires.

Therefore, Mr. President, I urge the majority leader and his allies to recognize that a system of elections that commands the trust of the American people is essential to the proper functioning of our democratic system, and, at the very least, to allow the Senate to conduct a full, fair debate on whether our current system needs reform. No one can guarantee that the Senate will reach a result of which it can be proud, but let us at least observe a process that will make the American people confident that this issue has received thorough review by their representatives in government. Anything less would simply add to the public cynicism that already exists toward government, and that brings us to this point today.

Mr. LAUTENBERG. Mr. President, I want to praise my colleagues on both sides of the aisle who have fought long and hard to get campaign finance reform legislation on the Senate floor. Like them, I have fought hard for progressive campaign finance reform legislation since I have been in the Senate.

Regrettably, opponents of campaign finance reform are once again using parliamentary tactics to try to block passage of the McCain-Feingold campaign reform legislation. This is unfortunate because a majority of the Senate favors the McCain-Feingold proposal.

Because of the steadily growing amount of money spent on political campaigns and its adverse impact on public attitudes and governing, achieving the goals of McCain-Feingold is of paramount importance. McCain-Feingold would ban ''soft money,'' the very large, unregulated contributions that individuals, corporations and labor unions have been making in ever greater amounts to political parties. Under existing election laws, these contributions are permitted to promote general political party activities, such as voter registration, voter education and efforts to encourage voters to turn out on election day.

However over the past several years, these large soft money contributions

have become a means of donors and parties circumventing limits on campaign contributions to individual candidates. The two national political parties and state parties have used these funds to purchase TV ads that specifically mention candidate names and essentially amount to advertising by political parties or groups on behalf of individual candidates with money that the candidates cannot use themselves for this purpose. Advocacy ads of this nature, fueled by large and undisclosed contributions, are a means of circumventing campaign finance restrictions on the size of contributions to individual candidates.

I support limits on very large campaign contributions to candidates, in order to prevent undue influence by special interests on those who govern. The McCain-Feingold bill would uphold existing limits by banning soft money and requiring that independent expenditures for so-called issue advocacy advertisements by political parties or advocacy groups deal exclusively with issues, rather than being designed to persuade the public about a particular candidate. McCain-Feingold re-defines ''express advocacy'' as any broadcast television or radio communication that mentions the name of a Federal candidate within 60 days of an election. Parties and groups that meet the new guidelines would be required to finance their ads in accordance with Federal election laws.

This reform does not stifle free speech. It just closes a loophole that has developed in our election laws which permits unlimited, soft money expenditures to be made to buy advertisements for or against specific candidates. The bill does not in any way prevent groups or parties from publishing scorecards or voter guides.

Mr. President, I am and have always been a staunch advocate of free speech and very protective of First Amendment rights. I agree with legal scholars that the McCain-Feingold bill does not restrict free speech, but is important for reducing the influence of big, special interest money in our campaigns and political system. The amount of money now flowing through our electoral system is enormous and breeds a deep cynicism in the public. We need to break the choke of special interest money on the nation's Capitol and restore America's faith in our election system.

The McCain-Feingold bill will help cleanup American politics. It will ban unlimited, unregulated soft money that is compromising our electoral system. It will also make other improvements in our election system. For example it will begin to regulate shell organizations that exist to circumvent existing campaign laws. Many of these front organizations claim that they are independent but they are not. They are simply tools of the political parties and special interests and are primarily engaged in electioneering.

In 1997, political parties raised $67 million dollars in soft money—more soft money than ever before raised in a non-election year and more than double what was raised in 1993. The largest single soft money check written in the last half of 1997 was for $250,000 to the Republican National Committee. And who wrote this check? Phillip Morris.

Does anyone in the Senate believe that allowing tobacco companies to write unlimited checks to political parties is a good idea? Especially at a time when Congress is considering comprehensive tobacco legislation?

Congress is now considering legislation that could mean that the tobacco companies would have to forgo billions of dollars of profits. Yet while we debate possible special legal protections for this outlaw industry, our campaign finance system allows them to write unlimited checks to our political parties. This is wrong.

Mr. President, last year, the Senate Governmental Affairs Committee held hearing after hearing about the problems associated with soft money. We all witnessed the disturbing testimony and all of the abuses that were prevalent in both parties during the 1996 election.

Now we have a chance to do something about soft money. Unfortunately, some of the same Senators who were highlighting the problems associated with soft money last year in Committee hearings, are now the ones filibustering the McCain-Feingold bill that will get rid of soft money. This is tragically ironic.

We must continue the fight to clean up our political system. The American people believe that our political system is corrupt and we need to clean it up.

Mr. President, I urge the Republican leadership to let us have a full debate on campaign finance reform. Let us vote on McCain-Feingold and the Senate will pass it and the President will sign it.

So, I urge my colleagues to reject these parliamentary tactics to kill the McCain-Feingold bill and allow it to become law.

I yield the floor.

Mr. BAUCUS. Mr. President, I rise today to once again make the case for comprehensive campaign finance reform.

Today, the Senate has a great opportunity. The McCain-Feingold legislation is a step in the direction of campaign finance reform. Make no mistake, despite what anyone here tells you today, the American campaign finance system is broken. And the American people know it.

Spending in all levels of federal campaigns—from Congress to the Senate all the way to the White House—increased from 1992 to 1996 by over $700 million. With all that money, people should have known the issues better, and had a clear sense of the candidates. They should have received a comprehensive and well funded message why their involvement in the political process was crucial. All that money helped increase voter participation, right?

Wrong. Spending increased by $700 million and fewer people voted. Down from 55 percent in 1992 to 48 percent in 1996. Less than half of the American populace voted and some in Congress want to say the system is fine, everything is okay.

Mr. President, the American campaign finance system is not okay. Over and over Americans tell pollsters, elected officials, and their neighbors that the system needs major repair. People are becoming more and more cynical about government. People tell me they think that Congress cares more about ''fat cat special interests in Washington'' than the concerns of middle class families like theirs. Or they tell me they think the political system is corrupt.

I have simple tests on which to base my support of versions of campaign finance reform. First, it must be strong enough to encourage the majority if not all candidates for federal office to participate.

Second, it must contain the spiraling cost of campaign spending in this country. Finally, and most importantly, it must control the increasing flow of undisclosed and unreported ''soft-money'' that is polluting our electoral system.

McCain-Feingold is not perfect. I have a long track record of voting for bills that go further. I have voted for bills that took a closer look at PACS, increased FEC enforcement capabilities, and regulated both hard and soft money. But McCain-Feingold is a start.

I support this legislation because I believe it represents the right kind of change. While not a perfect solution, it will help put our political process back where it belongs: with the people. And it will take power away from the wealthy special interests that all too often call the shots in our political system.

WHAT'S RIGHT WITH THE BILL

While I must admit this bill is not perfect, it will take several crucial actions to reign in campaign spending. First, this is the first bi-partisan approach to campaign finance reform in more than a decade.

Second, the bill establishes a system that does not rely on taxpayer funds to work effectively.

The McCain-Feingold substitute would prohibit all soft money contributions to the national political parties from corporations, labor unions, and wealthy individuals.

The bill offers real, workable enforcement and accountability standards. Like lowering the reporting threshold for campaign contributions from $200 to $50. It increases penalties for knowing and willful violations of FEC law. And the bill requires political advertisements to carry a disclaimer, identifying who is responsible for the content of the campaign ad.

Let me spend a moment discussing the Paycheck Protection Act. Mr. President, I oppose cloture on this bill

today because it simply doesn't go far enough. Instead of comprehensively reforming campaign finance laws, it does very little. It doesn't deal with soft money, or PACS, or the costs of campaigns. Nor does it help to identify negative, attack ads that do nothing for the process except to drag it down.

Instead, the majority alternative attempts to regulate only union contributions, a clear case of political payback. I believe we should look at union contributions, Mr. President, if we also look at corporations, non-profits, and independent expenditures. But just targeting one piece to the puzzle won't solve the problem. That's why I will vote to oppose this measure.

To close, Mr. President, America needs and wants campaign finance reform. The Senate should pass comprehensive legislation right now. Let's be clear of our goal today: we must ensure that political campaigns are a contest of ideas, not a contest of money. We need to return elections to the citizens of states like Montana and allow them to make their own decisions, rather than letting rich Washington DC groups run attack campaigns designed to do nothing but drag down a candidate.

I remain committed to this cause and will do everything in my power to ensure that the Congress passes meaningful Campaign Finance Reform, this year.

Mr. KYL. Mr. President, I have stated before that I believe there are many things Congress should do to reform the way campaigns for federal office are financed.

Last year's hearings by the Senate Governmental Affairs Committee, chaired by Tennessee Senator FRED THOMPSON, confirmed that the first thing is to ensure enforcement of existing laws. The Committee investigated what appear to be an orchestrated campaign in the last Presidential election to evade restrictions on foreign contributions, and an apparent effort by Communist China to illegally influence our electoral process. It is already illegal to ''launder'' contributions and accept campaign contributions from foreign sources. The first step Congress should take, therefore, is to ensure that current campaign finance laws are vigorously enforced.

But we can—and should—do more. I believe any reform of our electoral process should be based on some key principles. Specifically, our laws should: be clear, simple, and enforceable; maximize disclosure of who contributed what to whom; place public interest over special interest; ensure voluntary participation for all; and most importantly, protect our constitutional right to free speech—unregulated by the government. Politicians must never be able to define the times, methods or means by which their constituents can criticize them.

Specifically, I support the following campaign finance reforms in the McCain-Feingold bill: requiring more timely and detailed disclosure of campaign funding and spending; toughening the penalties for violations of campaign law; tightening the restrictions on fundraising on federal property; strengthening the restriction on foreign money; prohibiting campaign contributions from minors (which often mask attempts at ''double donations'' by adults); and, curbing the advantages of incumbents by prohibiting mass mailings at taxpayer expense during an election year.

Additionally, I support several reforms not included in the bill, such as: requiring candidates to raise a majority of their campaign contributions from within their state, ensuring local support over national special interests; insisting that all political activities be funded with voluntary contributions and not coerced through mandatory union dues.

The two primary reasons I have not supported the current version of McCain-Feingold are (1) its failure to ensure that all political contributions are voluntary, and (2) its provisions unconstitutionally limiting free speech.

Concerning free speech, the McCain-Feingold bill in the view of many constitutional experts would effectively prohibit so-called ''issue-ads'' that mention a candidate's name within 60 days of a federal election. The bill would force groups that now engage in issue advocacy such as non-profit entities organized under 501(c)(3) and (c)(4) of the IRS Code to create new institutional entities—PACs—to be able to ''legally'' speak within 60 days before an election. Separate accounting procedures, new legal costs, and separate administrative processes would be imposed on these non-profit groups, merely so that their members could preserve their First Amendment rights to comment on a candidate's record. I believe this violates free speech guaranteed by the First Amendment. Elected politicians should not be given the right to regulate or forbid criticism by constituents during a campaign.

While there was an attempt to modify certain provisions of the McCain-Feingold ''speech specifications'' during the debate on campaign finance reform, the proposed compromise still placed unconstitutional restrictions on free speech about politicians by allowing congressional control over the timing and funding sources of communications merely because they contained the name of a member of Congress. In short, the compromise was not truly a ''compromise'' but rather a constitutional infirmity infringing on free speech about politicians.

While I believe McCain-Feingold is motivated by the best of intentions, and I have commended my colleague JOHN MCCAIN for his effective leadership on this difficult issue, I cannot support legislation that in my view does not protect our constitutional rights nor guarantee voluntary participation in the political process for all.

Mr. FEINGOLD. I yield 7 minutes to the distinguished Senator from New Jersey.

Mr. TORRICELLI. I thank the Senator from Wisconsin for yielding.

Mr. TORRICELLI. Mr. President, the debate before the Senate is about campaign finance reform but, indeed, it is really about something much more fundamental. It is about the credibility of the U.S. Government. It may even be about the long-term stability of our system of government.

The United States will enter the 21st century as the only industrial democracy in the world where only a minority of the people of our country choose our government. In the Presidential elections of last year, only 49 percent of eligible Americans participated in choosing our government. It is a record of shame. That shame does not belong only to those who do not participate.

Upon leaving the Continental Congress, the Founding Fathers were asked, what form of government have you chosen? It was replied, ''A democracy—if you can keep it.'' This legislation is about campaign finance reform. But much more fundamentally it is about a democracy—if you can keep it.

For more than 20 years we have tried to evade the central truth of this problem. We told ourselves that people didn't vote because it wasn't convenient, so we gave them time off from work; that it wasn't possible to go and register in person, so we passed motor-voter. We have done everything we can think of to address a new excuse of why people do not participate in the process. The truth is those 51 percent of Americans who do not vote are participating in the process. By not voting they are speaking volumes about their belief and their confidence in this system of government.

Central to this eroding of confidence in our 200-year political system is money and people's perception of what it buys and how it undermines our system of government. I participated in the 1996 elections as a U.S. Senate candidate. The record of those elections can be a source of pride to no one. Congressional candidates raised $765 million, culminating a 700 percent increase in campaign spending since 1977. We are not the first Congress or the first generation that recognized there was a problem of confidence in governing America. Those before us, in 1974, after Watergate, passed comprehensive and meaningful reform. But like that generation, in this Congress it is time to recognize that the governing laws are not working. The 1974 reforms are being observed in the exception. A series of Federal court decisions, changes in technology, changes in the political culture, have left them meaningless. I think, indeed, the 1974 reforms did not envision, therefore did not even address, the issue of soft money which is now so prevalent and even governing the system.

This Senate has not been blind to the problem. We have not been without our

advocates, like Senator FEINGOLD, who sought to change the system. In the last decade, this Senate has voted on 116 occasions for campaign finance reform, 321 different bills, all of which have left the system fundamentally unchanged.

What is it now that brings this opposition by the Republican majority? What is it that would lead potentially a majority of this Senate to participate in a filibuster on a bill which fundamentally prohibits foreign money, enhances prompt disclosure of contributions, helps the FEC in enforcing the law, and banning the soft money which for most of the last year attracted the attention of the country and the focus of the Governmental Affairs Committee on which I serve as an abuse of the system? Which of these provisions so disturbs Members that they would stop this reform legislation? Or is it simply that they like to discuss the problems but fear that any change to the current system would rearrange control of this institution?

The irony of the opposition is that the principal problem of the reform legislation is not that it does these simple and self-obvious changes but that it does not go far enough. Indeed, if given the opportunity, as the Senator from North Dakota, I would like to offer amendments to take this process further, because the principal change in the political culture since 1974, and obviously in the last election, has been the use of unregulated issue advertising by third party advertisers. We no longer have contests between candidates or Democrats and Republicans, but unregulated, third party institutions, where no one knows the source of the money or even who they are, that sometimes drown out the candidates, change the agenda of people and political parties. This legislation doesn't deal with that issue, and it should. It doesn't go far enough.

So in my amendment I go further with these tax-free organizations in making them choose. If you want to be tax free, you will not participate in electioneering; if you do want to participate in electioneering and change your status, you will disclosure your contributors. We did not do that here.

Finally, the Senator from North Dakota indicated the principal reform that is required is reducing the cost of television times. The public airwaves, licensed by this Government, owned by the people of the United States, are being sold for millions of dollars and are essentially driving the cost of these campaigns. Mr. President, 82 percent of the election in New Jersey was raising money for television advertising. The average across the country is 70 percent. Until we force the television networks to reduce the cost of the public airwaves, we will never stop the upward spiral of these campaigns.

So I rise to endorse the efforts of the Senator from Wisconsin to urge the Congress to allow its consideration, to allow a majority of 52 Senators in this institution to work their will, to do the work that every Senator knows must be done—not simply to reforming the financing of campaigns, but much more importantly, much more fundamentally, to make this part of the effort, indeed, the foundation, of restoring confidence in this system.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. We come to the end of the most recent round of debate on whether to put the Government in charge of political speech of individuals, candidates, and parties. I think it is important to talk a little bit about the philosophy that divides us on this issue.

My good friends on the other side of the aisle look at America as a seething caldron of people who are trying to make us do bad things. We, on the other hand, take the approach to this that James Madison did. James Madison, the author of the first amendment, Mr. President, understood that America would, in fact, be a cauldron, a cauldron of special interests, but special interests in Madison's views, or factions, as he put it, would be people who would be guaranteed a right to have some influence; that it was totally American—expected, anticipated and necessary—in a democracy to allow people to have influence.

After all, who are we trying to wall ourselves off from, Mr. President? People who want to contribute to our campaigns, limit and disclose amounts of their hard-earned money because they believe in what we are doing? What could conceivably be wrong with that? In fact, it is as American as apple pie. Not only is it the right thing for our people, it is the constitutionally protected thing for our country.

The Supreme Court has made it abundantly clear, abundantly clear that unless you have the ability to amplify your voice in a country of 260 to 270 million people, you don't have much speech. Dan Rather has a lot of speech, Tom Brokaw has a lot of speech, the editorial page of the Washington Post has a lot of speech, but your average American citizen, unless that person can amplify his voice, doesn't have much speech. So the Court said spending is speech and the first amendment applies to individuals, groups, candidates and parties, as well as applying to the press. A stunning thing for the press to observe, that we have free speech rights as well. They don't like it. They would like to have more power, not less. They would like to control our campaigns, control the discourse in the course of the campaign that goes on, and control the outcome with their editorial endorsement. But the first amendment doesn't allow them to control the political process. It also doesn't allow the Government, through some statute we passed here, to be put in charge of regulating either the quality or the quantity of political speech.

The great conservative Thurgood Marshall summed it up in the Buckley case: ''The one thing we all agree on is that spending is speech.''

The Court made the point that if you say somebody is free to speak but then say they can only speak so much, they are not very free to speak. They said it would be about like saying you are free to travel, but you can only spend $100. How free are you?

I wonder how our friends at the Washington Post and New York Times would feel if we said: You are free to say anything you want, but your circulation is now limited to 2,500 or 10,000. They would say: You are interfering with our speech because we can't amplify our speech.

Of course, they would be correct. I say that somewhat tongue in cheek, but the principle is the same whether it's the press or an individual candidate or a group or a party.

Mr. President, I don't feel that people participating in our campaigns is in any way inappropriate. It should not be condemned; it ought to be applauded. We don't have a problem in this country because we are speaking too much in political campaigns. Our good friends on the other side of the aisle say, well, we are spending too much. Compared to what? It's about what the public spent on bubble gum last cycle.

There was an increase in spending because the stakes were big. A lot of people cared about what happened in the 1996 election. There was a struggle for the White House and a struggle for the Congress and a struggle over the future of America. A lot of people cared about that and they got involved. They wrote their checks out and gave it to their favorite party or candidate. Some groups came out and said how they felt about it, which they have a constitutional right to do, as well, under the first amendment. Many of our colleagues on the other side of the aisle were appalled; all this speech was polluting the process, they said.

Mr. President, I think all that speech was invigorating the process. When there is not much speech in a campaign, not much spending in a campaign, it is a sleepy campaign with no competition. Typically, statistically, it is a lower turnout election when there is no interest. So there is nothing offensive, nothing improper, and nothing to be condemned when you look at a heavily contested election in which large quantities of money are spent on behalf of the candidates because people think the stakes are big.

Now, why would people care, Mr. President? We have a huge Government that affects every American. It is naive in the extreme to expect that people don't want to have some impact on a political process which takes 30 to 40 percent of their money every year—paying taxes is not exactly a voluntary act—and spends it on what it wants to.

What kind of country would we have if all of these people in our land were

unable to influence the political process? We would have an unresponsive democracy, a Government run by elitists who want to shut everybody up. Fortunately, Mr. President, the courts are never going to allow that to happen. This Senate is never going to allow it to happen, because we are not going to go down the road of regulating people out of the political process because we don't like either the quantity or the quality of their speech. I have heard it said off and on over the last few days about these polluting issue ad campaigns, these sham campaigns. Who is to decide, Mr. President, whose speech is worthy and whose speech is not? The Supreme Court made it clear that the Government is not going to allow us here to decide whose speech is worthy and whose speech is not. The first amendment doesn't allow us the latitude to categorize certain kinds of speech as offensive and other kinds of speech as laudable. So that is at the core of this debate.

I want to say to my colleagues in the Senate and to those who may be following this debate, the supporters of McCain-Feingold-type proposals—which was called, when the Democrats were in the majority, Boren-Mitchell—say they are always going to come back.

Let me make sure that everybody understands that we will always be back, too. We will fight efforts to undermine political discourse in this country wherever they may arise. There are some multimillionaires who are funding campaigns around the country. George Soros, a multibillionaire who funds a variety of things, including referenda to legalize marijuana, has taken an interest in this subject. Jerome Kohlberg, a former financier from Wall Street, has taken an interest in this subject. These are people who think everybody else's money in politics is bad except theirs. They have been trying to fund an effort to pass so-called campaign finance referenda.

Let me assure our colleagues, the Members of the Senate, that there will always be somebody there. For example, there is the James Madison Center, a new group that has been established to fight for first amendment political speech, a group of public interest lawyers who will be involved in these cases, striking them all down one after another. Their record in court has been excellent. The California referendum was struck down last month; the Maine referendum was struck down last year—all of these efforts, even though they may be well-intentioned, to push people out of the political process and put the Government in charge of how much we may speak, when we may speak, whether or not we have to disclose our membership lists as a precondition as to whether or not we can mention a candidate or not mention a candidate.

Who are we kidding? What reformers want to do is shut everybody up. They want to shut down the discussion. It isn't going to happen, Mr. President. There will be somebody there to fight in every court in America, State, local or Federal, to preserve the rights of all Americans to speak without Government interference in the political process.

This is a very important debate. This is not a little issue. There isn't anything more fundamental to our democracy—nothing—than the ability to discuss issues, to support candidates, either as individuals or in banding together as groups, and to express yourself without Government interference or limitation in this great country. This is the core of our democracy.

Now, Mr. President, I might mention that in Europe, England in particular, they have had restrictions against issue advocacy, which is something we have talked about a good deal here in the last 3 or 4 days. Issue advocacy is not complicated. It is a group banding together to express themselves about us or an issue or anything else they choose to at any time they choose to, without Government interference. Over in Europe, the British in particular, basically didn't allow citizens to band together and express themselves. Last week—it is kind of interesting—a group in England took a case to the European Court of Human Rights, which ruled that laws banning ordinary citizens from spending money to promote or denigrate candidates in election campaigns was a breach of human rights. The court was right. For the Government to say you can't go out as a citizen or as a group of citizens and criticize candidates any time you want, that is a breach of human rights. They struck down that British prohibition. The independent newspaper in London says that ruling opens up the way for American-style election battles.

Well, it is about time they had some American-style election battles in which citizens have an opportunity to band together and express themselves without government interference in Europe. So I commend that court for its ruling. It looks to me as if the Europeans are heading in the direction of having a real democracy. In a real democracy, Mr. President, the candidates don't get to control all the discussion in the election. We would love to. We would really like that because then we could have our campaigns and the other guys could have theirs. The press always has a campaign, and, of course, that would go on. But we would not have any of these groups out there messing up our campaigns.

Mr. President, we don't own these campaigns; we don't control them. It is not our right to shut these citizens up, no matter how much it may irritate us. The good thing about what is going to happen in a few minutes is that those people's ability to participate is going to be preserved. We are not going to take that away. We are going to kill a bill that richly deserves to be killed. We are going to do it proudly and unapologetically.

There is also another vote we are going to have, an opportunity to introduce an American principle as old as the founding of the country into the labor movement in this country. No one ought to be required to support political causes with which they disagree. The Supreme Court has, in fact, already ruled that way in the Beck case. But, as a practical matter, the Beck decision is not being enforced. There is a bill called the paycheck protection bill, of which Senator NICKLES was the original author and which Senator LOTT has offered, which would guarantee that there has to be written permission by a union before it takes money from its members for political purposes.

Everybody else in the American political process operates on that principle. Everybody else. It's high time that our good friends in organized labor raise their money voluntarily, from willing donors, like everyone else. I don't want to shut up the unions. I defend their right to engage in issue advocacy. It has always been directed against members of my party. I would not, for a minute, support anything that would take them off the playing field. But they ought to raise their resources from voluntary donors like everybody else.

This issue is going to be out in the States, Mr. President—a referendum in California in June, in Nevada, in Colorado, and in other States. It has already been passed in the State of Washington a few years ago. This is the real campaign finance reform that I urge our colleagues to vote for. If you want to vote for a real change in the American election system that would move us in the right direction, then let's introduce democracy into the workplace by making certain that no one's dues are taken against their will and spent on causes with which they disagree.

So, Mr. President, I urge a vote for cloture on the paycheck protection bill and a vote against cloture on McCain-Feingold, which would wreak great harm upon the first amendment to the U.S. Constitution.

I yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Wisconsin has 1 minute remaining.

Mr. FEINGOLD. How much time remains on the other side?

The PRESIDING OFFICER. They have 1 minute 45 seconds.

Mr. FEINGOLD. I yield the remainder of our time to the distinguished Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak up to 5 minutes at this time.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object. I will be happy to give the Senator what little time I have remaining.

Mr. WYDEN. That is very gracious.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, we now have a seemingly permanent political campaign in America. We have an election the first Tuesday in November, people sleep in on Wednesday, and it starts all over again on Thursday. The money chase simply does not stop. I came to the Senate after a hard-fought and, frankly, less than pleasant campaign against an individual I am proud to call both a friend and a colleague, Senator GORDON SMITH. In the final weeks of that campaign, we made a decision to unilaterally take off the air all television commercials about Senator SMITH. I thought it was time to talk about issues, time to focus, with the voters, on the real questions that were important to their future.

I am of the view that the American people need to know that today is the day when reform will be passed or defeated. The cloture vote on McCain-Feingold is the vote on campaign finance reform. It is the vote for a Senator who wants to address this problem of independent expenditures. It is the vote on the proposition that we need to have more time spent with voters, less time with raising money.

Mr. President, I urge passage of the bill. I thank the Senator from Kentucky for the additional time.

PAYCHECK PROTECTION ACT

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McCain-Feingold amendment.

Russell D. Feingold, Paul Wellstone, J. Lieberman, Richard J. Durbin, Tim Johnson, Edward M. Kennedy, Byron L. Dorgan, Barbara A. Mikulski, Daniel K. Akaka, Jay Rockefeller, Dale Bumpers, Wendell H. Ford, John Breaux, J. Robert Kerrey, Ernest F. Hollings, Daniel Moynihan, Patty Murray, Carol Moseley-Braun, and Max Cleland.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on amendment No. 1646 to S. 1663, a bill to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

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

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 16 Leg.]

YEAS—51

Akaka	Feingold	Lieberman
Baucus	Feinstein	McCain
Biden	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Breaux	Hollings	Murray
Bryan	Inouye	Reed
Bumpers	Jeffords	Reid
Byrd	Johnson	Robb
Chafee	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Thompson
Dodd	Lautenberg	Torricelli
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden

NAYS—48

Abraham	Faircloth	Lugar
Allard	Frist	Mack
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brownback	Grassley	Roberts
Burns	Gregg	Roth
Campbell	Hagel	Santorum
Coats	Hatch	Sessions
Cochran	Helms	Shelby
Coverdell	Hutchinson	Smith (NH)
Craig	Hutchison	Smith (OR)
D'Amato	Inhofe	Stevens
DeWine	Kempthorne	Thomas
Domenici	Kyl	Thurmond
Enzi	Lott	Warner

NOT VOTING—1

Harkin

The PRESIDING OFFICER (Mr. SANTORUM). On this vote the ayes are 51, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, under the previous order, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1663, the Paycheck Protection Act:

Trent Lott, Mitch McConnell, Wayne Allard, Paul Coverdell, Robert F. Bennett, Larry E. Craig, Rick Santorum, Michael B. Enzi, Jeff Sessions, Slade Gorton, Chuck Hagel, Don Nickles, Gordon H. Smith, Jesse Helms, Conrad Burns, and Lauch Faircloth.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on S. 1663, a bill to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

The yeas and nays resulted—yeas 45, nays 54, as follows:

[Rollcall Vote No. 17 Leg.]

YEAS—45

Abraham	Frist	Lugar
Allard	Gorton	Mack
Ashcroft	Gramm	McConnell
Bennett	Grams	Murkowski
Bond	Grassley	Nickles
Brownback	Gregg	Roberts
Burns	Hagel	Roth
Coats	Hatch	Santorum
Cochran	Helms	Sessions
Coverdell	Hutchinson	Shelby
Craig	Hutchison	Smith (NH)
DeWine	Inhofe	Smith (OR)
Domenici	Kempthorne	Thomas
Enzi	Kyl	Thurmond
Faircloth	Lott	Warner

NAYS—54

Akaka	Durbin	Lieberman
Baucus	Feingold	McCain
Biden	Feinstein	Mikulski
Bingaman	Ford	Moseley-Braun
Boxer	Glenn	Moynihan
Breaux	Graham	Murray
Bryan	Hollings	Reed
Bumpers	Inouye	Reid
Byrd	Jeffords	Robb
Campbell	Johnson	Rockefeller
Chafee	Kennedy	Sarbanes
Cleland	Kerrey	Snowe
Collins	Kerry	Specter
Conrad	Kohl	Stevens
D'Amato	Landrieu	Thompson
Daschle	Lautenberg	Torricelli
Dodd	Leahy	Wellstone
Dorgan	Levin	Wyden

NOT VOTING—1

Harkin

The PRESIDING OFFICER (Mr. ROBERTS). On this vote, the yeas are 45, the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. LOTT. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business until the hour of 2 p.m. with Senators permitted to speak for up to 10 minutes each.

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

THE HIGHWAY BILL

Mr. LOTT. Mr. President, for the information of all Senators, at approximately 2 p.m. today it will be my intention to move to proceed to the highway bill. If a rollcall vote is requested