

In lieu of the matter proposed to be inserted insert the following:

SEC. PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

“(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

LOTT AMENDMENT NO. 1265

Mr. LOTT proposed an amendment to amendment No. 1264 proposed by him to the bill, S. 25, supra; as follows:

Strike all after the word “section” in the first-degree amendment and insert the following:

PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

NOTICE OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information

of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Tuesday, September 30, 1997, 10 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is Tobacco Settlement part III. For further information, please call the committee, 202/224-5375.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Wednesday, October 1, 1997, 10 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is Voluntary Initiatives to Expand Health Insurance Coverage. For further information, please call the committee, 202/224-5375.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry has changed the hearing schedule for October. The committee will meet on the following days:

Tuesday, October 7, 1997 in SR-328A at 9 a.m. To consider the nomination of Sally Thompson to be the Chief Financial Officer for the U.S. Department of Agriculture. The committee will also consider other recently announced nominations whose paperwork is received in a timely manner.

Wednesday, October 8, 1997 in SR-328A at 9 a.m. The purpose of this hearing is to examine food safety issues and recent food safety legislation proposed by the U.S. Department of Agriculture.

AUTHORITY FOR COMMITTEE TO MEET

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. BENNETT. Mr. President, I ask unanimous consent that the subcommittee on Administrative Oversight and the Courts, of the Senate Committee on the Judiciary, be authorized to meet during the session of the Senate on Monday, September 29, 1997, at 2 p.m. to hold a hearing in room 226, Senate Dirksen Building, on: A Review of the FBI Crime Laboratory.

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

ADDITIONAL STATEMENTS

WHAT NEXT, MR. PRIME MINISTER? DEMOCRACY HANGS IN THE BALANCE IN SLOVAKIA ON CONSTITUTION'S FIFTH ANNIVERSARY

• Mr. D'AMATO. Mr. President, 5 years ago, the speaker of the Slovak Parliament, Ivan Gasparovic, described his country's new constitution as “an expression of centuries-old emancipation efforts of the Slovak people to have a

sovereign state of their own.” He also spoke of its “supreme binding force.” Since then, the people who present themselves as the guardians of Slovakia's statehood have undermined Slovakia's constitution.

This is what they have done.

This May, the Ministry of Interior ignored the Constitutional Court's ruling and altered an important referendum on NATO and on the direct election of the President, effectively denying the people of Slovakia their constitutionally guaranteed right to register their views through a referendum. Defending its actions, members of the Prime Minister's party insisted that they acted in conformity with the constitution—as they interpreted it—and that they were justified in placing their views ahead of the ruling of the highest court in the land.

The actions of the ruling coalition in the case of Frantisek Gaulieder makes clear that the Meciar government has a profound and fundamental disregard for the constitution of Slovakia.

Then there is the case of Frantisek Gaulieder.

Frantisek Gaulieder is a member of the Slovak Parliament who was removed from office because he renounced his membership in Prime Minister Vladimir Meciar's party, the Movement for a Democratic Slovakia. On July 25, the Constitutional Court confirmed that the ruling coalition's action which deprived Gaulieder of his seat was unconstitutional and violated Gaulieder's rights. But members of the Prime Minister's coalition again claimed that they, and not the Constitutional Court, have the right to determine what the constitution means, and have declined to act to restore Gaulieder to his seat in Parliament.

In short, the “supreme binding force” that Ivan Gasparovic spoke of 5 years ago no longer flows from the constitution, but from the will of Vladimir Meciar.

When there are differences of opinion as to what a constitution means, whether those differences arise between branches of government or between the government and its citizens, in a state operating under the rule of law, it is the job of a constitutional court to interpret what the constitution means—not the Prime Minister or Parliament. Although this principle is taken for granted in many parts of Europe, and was established early in American history by the famous Supreme Court case of Marbury versus Madison, it has apparently not yet been accepted in Slovakia.

Mr. President, the Slovak Democratic Coalition has moved, four times, to convene a special session of the Parliament in order to implement the decision of the Constitutional Court and restore Frantisek Gaulieder to his seat. Four times, however, Prime Minister Meciar's coalition has boycotted their own Parliament rather than face the following dilemma: restore Gaulieder to his seat—consistent with the Constitutional Court's decision—and risk