

obey a new set of rules? They simply can't.

The whole exercise is a public relations scheme designed to let the public think we are reacting—when we are not. To move in this direction would only threaten the ability of Americans to participate in the democracy which they have helped to create. Placing new limits or government controls are not the answer.

Mr. President, this leads me to my concerns with the McCain-Feingold proposal. While I commend the proponents of McCain-Feingold for making some minor changes to their initial proposal, such as removing the provisions providing for voluntary spending limits and restrictions on political action committees, the modified McCain-Feingold proposal still continues to suppress the rights of Americans to communicate their ideas and express their views.

For example, this modification is premised upon the belief that there is too much money spent on American elections. If we accept this assumption, then Congress has decided to assert questionable authority to suppress the rights of Americans to become involved in the political process and make their voices heard.

In fact, the belief that there is government justification for regulating the costs of political campaigns was rejected by the Supreme Court in the landmark case of *Buckley versus Valeo*. In *Buckley*, the Court declared,

The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive or unwise. In the free society ordained by our Constitution it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

The McCain-Feingold proposal also fails to recognize that Americans have a right to petition the government and have their voices heard. Americans have both a right and obligation to make their views known and hold those that seek to represent them accountable for their actions or positions on issues.

Mr. President, I expect the American people will receive a full disclosure of campaign finance law violations. I believe the testimony before the Governmental Affairs Committee has thus far proved the need for the Federal Government to focus its efforts on greater enforcement of our existing laws and prosecution of those who violate the laws, before Congress seeks to pass new laws. Congress should not use violations of existing law to restrict political speech and participation by those who abide by current law.

In addition to more timely enforcement of our existing election laws, we should encourage greater disclosure of each contribution and expenditure. Fair and frequent disclosure of contributions by Federal office seekers will open up the political process to the electorate.

I am encouraged by the disclosure provisions contained within the McCain-Feingold proposals. We share the same goal of letting the sun shine on the process. I am sure there will be additional opportunities to debate this aspect of the McCain-Feingold proposal.

Finally, Congress should work to protect the right of Americans to participate in the democratic process without fear of coercion. Despite the Supreme Court decision in *Communications Workers of America versus Beck* almost 10 years ago, millions of Americans still have portions of their paychecks taken and used for political purposes for which they may disagree, without their knowledge or consent.

I believe forcing an individual to make compulsory campaign contributions is contrary to our constitutional form of government and the first amendment freedoms we enjoy as citizens. As Thomas Jefferson once said, "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical." For these reasons, I support the majority leader's decision to offer the "Paycheck Protection Act" as an amendment to the McCain-Feingold bill. I do not consider this a "poison pill" to passage of campaign finance legislation, but rather effective medicine for our Nation's employees because it will allow individuals to regain control of their paychecks, avoid coercion, and exercise their political freedoms.

Finally, Mr. President, as we approach the next century, the Senate has the responsibility to restore the public's trust in their government and preserve the political freedoms that were enacted over 200 years ago. I remain hopeful that our actions here will not affect the ability of future generations of Americans to enjoy these same freedoms.

I yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized to speak for 5 minutes.

Mr. DODD. Mr. President, I thank the Chair. I may need a few more minutes than 5. I will see how things are going, Mr. President, and may request unanimous consent to proceed a bit longer.

(The remarks of Mr. DODD pertaining to the introduction of S. 1260 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

CAMPAIGN FINANCE REFORM

Mr. THOMPSON. Mr. President, I understand that the so-called Lott

amendment will be considered this afternoon after lunch—an amendment to the campaign finance reform bill known as the McCain-Feingold bill. I want to address that briefly. I have given it serious consideration because I think it is a serious matter.

I must say that I agree with the underlying intent of this legislation. I support the concept of this amendment. I would like to see it enacted into law. I believe that American workers need all the protections they can get with regard to the matters that are addressed in this amendment. In fact, I intend to cosponsor freestanding legislation that would give us an opportunity to have an up-or-down vote on this idea.

But, Mr. President, as I look at this, I became concerned whether or not there is any chance of this amendment ever becoming law because, as I understand it, it is an amendment to the campaign finance bill. When I ask around whether or not those who are supporting the amendment will support the bill in case the amendment passes, I don't get any affirmative responses. In other words, as I see the state of play now, if we pass this amendment, then those who are primarily in support of the amendment will still oppose the underlying legislation. So there is no chance, as I see it, that the amendment or the ideas expressed in the amendment have any chance at all for becoming law in this process.

I am an original cosponsor of this particular legislation, the McCain-Feingold bill. I cannot align myself, even though I agree with the underlying intent, with an effort that has no chance of success in terms of passing any legislation or passing an amendment but that would, in effect, make sure that the underlying bill, McCain-Feingold, and the so-called Lott amendment, would both never become the law of this land. That is what we are faced with.

I must say it makes it a little bit more difficult for me when it is openly expressed as an effort to kill the underlying legislation.

So, Mr. President, I will do what I can for the rest of this Congress to see that the working men and women are protected in this regard.

I think it is a noble settlement. I think it is a good idea. There is freestanding legislation on this which I will support. But since I see no hope and no opportunity for this amendment to ever have the force and effect of law, then I cannot support it and will not.

Mr. FEINGOLD. Mr. President, I ask unanimous consent to be heard for 30 seconds.

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

Mr. FEINGOLD. Mr. President, I just want to express my gratitude and the gratitude of the Senator from Arizona for the statement of the Senator from Tennessee, the fact that he was an original cosponsor of this bill, he has been bipartisan every step of the way

and has made this reform much more possible both in the past and today. And I thank him for his tremendous leadership on this issue.

RECESS

The PRESIDING OFFICER. The Senate stands in recess.

Thereupon, the Senate, at 1:01 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I ask to be recognized under my leader time just briefly.

The PRESIDING OFFICER. The majority leader.

THE SENATE SCHEDULE

Mr. LOTT. First, I apologize to my colleagues for having to take this time right now before the cloture vote. However, the last couple of weeks have been somewhat hectic in the scheduling of floor action, with the end of the fiscal year, appropriations bills, fast track and ISTEA legislation brewing, all looming over the Senate schedule. And I wanted to address the Senate before these votes occur.

Having said all that, I think all of my colleagues understand that one of the major roles of the majority leader is to set the Senate schedule during each day's session and during the week. Conversely, yesterday I watched with dismay as the minority leader filed a cloture motion to the pending campaign finance reform bill and further announced it would be his intention to continue that practice for the remainder of the week. Unfortunately, since I was not notified of the minority leader's intention, I could not be on the floor to respond.

I will say now that my response was really one of dismay. All Senators know that filing a cloture motion does affect the Senate schedule. Needless to say, if cloture is invoked, if more than 60 Senators voted to limit the debate, then the Senate must remain on that clotured item until disposed of, regardless of what the majority leader might have had in mind for the schedule for floor consideration during those few days.

So I say to my colleagues that I do regret the action, but I understand how these things happen. Sometimes we just can't get in touch with each other and there is miscommunication. But prior to that event, the Senate had basically conducted what I think has been an interesting debate, an informative debate, and I think a fair and constructive debate. As of yesterday afternoon at approximately 7:30 p.m., the Senate had been considering this campaign finance reform bill for parts or all of 6 days. The debate had exceeded 22 hours and has been basically

evenly shared by both sides of the issue.

I ask unanimous consent the time spent on the debate be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Friday, September 26th (On the bill 10-3:45) 5'45"

Proponents:	
Daschle	21
McCain	24
Feingold	23
Kerry	30
Thompson	17
Torricelli	30
Dorgan	25

Total 170

Opponents:	
Lott	24
Bennett	49
McConnell	14
Ashcroft	25
Grams	12
Gorton	34

Total 158

Monday, September 29th (On the bill 12-6:10) 6'10"

Proponents:	
McCain	51
Feingold	04
Collins	13
Levin	13
Dorgan	21
Lieberman	39
Cleland	16
Durbin	20

Total 177

Opponents:	
Lott	05
Warner	05
McConnell	96
Bennett	15
Nickles	19
Hatch	10

Total 150

Tuesday, September 30th (Morning Business) 32"

Proponents:	
Daschle	04
Boxer	10
Wellstone	18

Total 32

Wednesday, October 1st (Morning Business) 2'01"

Proponents:	
Kennedy	08
Levin	17
Glenn	57

Total 82

Opponents:	
Thomas	10
Santorum	29

Total 39

Monday, October 6th (On the bill 1-7:30) 7'30"

Proponents:	
Feingold	51
McCain	15
Daschle	08
Reid	09

Johnson	19
Bryan	18
Bingaman	08
Bumpers	24
Levin	54
Collins	05

Total 211

Opponents:

McConnell	40
G. Smith	07
Hagel	14
Gorton	34
Allard	22
Ashcroft	07
Shelby	09
Domenici	26
Burns	20

Total 179

Mr. LOTT. So I understand, especially in this case, though, there is a wish by the minority to try to control the Senate schedule. However, there are other pressing items that are pending on the Senate's calendar that require Senate consideration. Some of those include, but are not limited to, fast-track legislation, remaining appropriations conference reports, ISTEA, Amtrak, adoption and foster-care legislation and, hopefully, perhaps others.

In closing, I hope that all Senators understand that I will have to move to proceed to other legislative items after these two cloture votes if cloture is not invoked. I am announcing to my colleagues now, so that no Member will be surprised by my actions. For the record, I have held up my end of the bargain by making the campaign finance issue the pending business prior to the October recess. It was suggested we were going to delay it until the end of the week, or the end of the month, or the end of the session. I said at the time I had no intention of doing that. I thought we should have debate early and we should have every opportunity for Senators to express themselves. The Senate has been provided more than adequate debate on this bill, and I think that the important thing now is to go ahead and have these cloture votes. It appears to me that there is no consensus at this time on this issue. I will have more to say about this after the votes, and I hope that we can move on to other issues that need to be done before the close of the session.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I am very disappointed with the announcement made by the majority leader, but I am not surprised. He has said from the very beginning that he was going to devise a strategy that would kill campaign finance reform, and he may have done so in the interim. It is not our intention to schedule legislation. It is not our intention to in any way obstruct the desires of the majority leader to go on to other issues. But it is our desire to have a good debate about one of the most important pieces of legislation pending before the Senate.