

to speak, you wish to speak during that period, Senators MCCAIN and FEINGOLD don't wish to speak. Then we will get back to you right away and maybe you want to speak later or both times.

Mr. McCONNELL. Since I will be controlling an hour and a half of the precloture time, I will try to work that out in such a way to accommodate Senator GRAMM. Senator HUTCHISON of Texas is here to use some of our time. We will be happy to begin.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### BIPARTISAN CAMPAIGN REFORM ACT OF 2002

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 2356, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 1 p.m. shall be equally divided between the two leaders or their designees.

The Senator from Nevada.

Mr. REID. Before the Republican leader leaves, it would be to everyone's interest to have the vote start at 12:50. All other provisions of the unanimous consent agreement would be in effect.

Mr. LOTT. I think that is the wise thing to do. I appreciate the cooperation on that; is that a unanimous consent request?

Mr. REID. It is.

Mr. LOTT. We would have no objection to that. So it is 12:50.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Kentucky.

Mr. McCONNELL. I yield to the distinguished Senator from Texas such time as she may desire.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Kentucky for leading the effort to point out some of the flaws in this campaign finance reform bill. This has been a long process. Everyone knows how hard it is to get a bill into final form. Frankly, we are being asked to vote cloture on a bill that we have not debated since it came from the House. There are some flaws in this bill. I don't think it is unreasonable to request the ability to have some amendments to try to correct the flaws.

Most people would like to see campaign finance reform. There are flaws in the current system. However, this bill does not fix all of them. It does

some harm, in place of good. To have no amendment capable of changing it is a very bad process that will result in a bad bill.

Last year I proposed several reforms that were in a bill I introduced. I am glad to see included in the current legislation a provision that limits the amount of loans a candidate can repay, loans made to his or her own race. But there are several provisions I introduced that are not included in the bill.

First, I believe an inordinate amount of campaign contributions can come from outside a person's home State or district. You can say: Make that an issue. Just tell everyone the majority of a person's contributions are coming from outside the State.

But what we are doing in this bill is exacerbating the problem. In the bill I introduced last year, I said that 60 percent of campaign contributions should come from a Member or candidate's home State or district, because I do not think a group from outside the State should be able to drown out the people of the State or district. The bill that is before us today is going to allow outside groups, whose contributors we do not know, to have unregulated access to the system and limit the capability of parties whose contributors are made public. We are going to have situations, especially in a small State, where the people of that State can be totally drowned out by interest groups in Washington, DC.

I think we are creating a monster by not putting in a limitation on how much you can raise outside the State. I think that could severely hamper the people of the State, especially a small State, from having their views, expressed through their contributions, able to be heard and not be drowned out by outside groups from another State or district. So that was not good in the bill, and I think the provisions that are in the bill make it worse.

One of the provisions that is in the bill that I am very worried about allows unregulated special interest groups to raise and spend unlimited amounts of soft money without any real reporting requirements. I really do not know who the contributors are to a private group that decides to become politically active, which they have the right to do. It is their freedom of speech. Anyone can buy time for a television ad or newspaper ad or send out a flier. You do not have to know who the contributors are. But we have elevated the status of groups such as that by curtailing the ability of our political parties, which have played a vital role in getting out the vote and informing people about the nominees of that political party. We are limiting the amount of soft money that can go to the political parties while outside groups are not limited at all. I think that is a blow to the political system, and I think it is really against what the bill's backers would want.

In addition, I think the bill tramples the principle of freedom of speech by

restricting broadcast advertising for 60 days before an election. This is the part of the bill that I think is unconstitutional. How many times have we heard that a large portion of the voting public really doesn't focus on the campaign until 2 weeks before the election? A poll taken 2 weeks before an election is not really valid, and any candidate will tell you that, because so much can happen in that last 2 weeks. That is when the majority of the public begins to collect the data they have been getting in the mail to start studying it. They start to listen to what is being said on television, which is where most people get their news. Now people are just beginning to tune in, the heat is on, and we are restricting the capability for that broadcast message.

I think this is an area of free speech with which we cannot afford to tamper, to lessen the capability to be heard in this medium. I think this is what will be thrown out in the end.

I have to say I do not like the idea of voting cloture on a bill that has just come back from the House, has been amended in the House, and to say the Senate really should not have the ability to amend the bill because if we do that, somehow it will delay it further and we may not ever get it to the President. That goes against everything we stand for in a representative democracy where we have two bodies. Specifically, we have two bodies so you can make sure you cover all the bases because when one body passes a bill, the other one may see something that is different or they may find a mistake. We have seen that happen many times. To say: do not tamper with this bill that the House just passed, pass it intact, is an incredible statement, especially when the sponsors of a bill say they are trying to open the political system.

We are closing the Senate in an effort to open the political system? Somehow that does not pass the logic test.

I am going to vote against cloture. I think it is premature. If the bill is closed to debate, if cloture is invoked, I will certainly vote against a bill that I think has tremendous flaws in its treatment of fundamental rights in our country.

I would like to see some reforms in our system. I introduced a bill that I thought had legitimate reforms. The few parts of my legislation that are included I appreciate. I think there are good parts of this bill. But I cannot in good conscience vote for a bill that I think will hamper free speech and will tilt the balance of power away from accountable political parties in favor of unaccountable interest groups from Washington, DC, whose supporters I do not even know, I have no idea who they are, and I will not be able to get that information in any reasonable manner under the bill that is being tested today on the Senate floor if we invoke cloture and the bill is passed without any amendments.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.