

CAMPAIGN FINANCE REFORM

UNANIMOUS CONSENT REQUEST

Mr. DASCHLE. Mr. President, after consultation with the Republican colleagues, there is a unanimous consent request I wish to propound prior to this vote, if I may.

Last night, late, the House passed the campaign finance reform bill. We are very appreciative of the tremendous work done by so many of our colleagues on the House side and are very pleased now that we are at a point where, hopefully, we can take this bill to the Senate floor and then send it off to the President. My hope is that we can do it with a minimum amount of additional debate, given the fact that the bill is virtually the same one we passed in the Senate.

I ask unanimous consent that the majority leader, after consultation with the Republican leader, may, at any time after the Senate has received the bill from the House, turn to the consideration of H.R. 2356, the campaign finance reform bill; that there be 4 hours of debate equally divided between the two leaders or their designees; that no amendments or motions be in order to the bill; that upon the use or yielding back of the time, the bill be read the third time and the Senate vote on final passage of the bill, the preceding occurring without any intervening action or debate.

Mr. MCCONNELL. Mr. President, reserving the right to object—and I will object—I just wanted to say to the majority leader, and particularly to Senators McCain and Feingold, I congratulate them for their success to date on this issue. There was certainly an overwhelming victory in the House yesterday. But, as we all know, this legislation kept being rewritten during the night. It finally passed at 3 a.m.

We have people on my side of this issue who did not prevail in the House yesterday, and they would like to have an adequate time to read the legislation. Fortunately, we are not in session next week, which gives everybody on both sides an opportunity to look at the fine print, because at this stage, I say to my friend from Arizona, we are shooting with real bullets. This could well become law. I don't think any harm is done by simply leaving the majority leader in the same position he would be in a week from Tuesday, to propound a similar unanimous consent request.

For the moment, pending a thorough scrutiny of the legislation that passed at 3 o'clock this morning, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. Mr. President, I hope everybody will take the time to look at the legislation with whatever care they wish to use in addressing the concerns raised by the Senator from Kentucky. It is my intention to bring this to the floor as quickly as possible when we return. I will accommodate requests for additional time if the 4 hours isn't adequate. We can move to a longer period

of time. But I do hope, given the fact that we had good and very healthy debate almost a year ago, given the fact now that the House has adopted virtually the bill that we passed in the Senate, we can have a debate without indefinite delay. So I hope we can reach some unanimous consent request when we return. I will propound another one as soon as we return. But I appreciate the involvement of our colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I thank the Senator from Kentucky and comment again that he has fought a good fight. The opponents of this bill have fought tenaciously, honorably, and I believe they certainly have a right to examine legislation that was passed as late as 3 o'clock in the morning.

I want to point out also that, of the 140 bills that have become law during the 107th Congress, only 19 necessitated conference committees between the 2 Houses of Congress. Eighty-six percent of the bills that became law during the 107th Congress did not require a conference committee between the Houses.

Some of these bills, obviously, are not of great importance. Some are of great importance, such as the Victims of Terrorism Tax Relief Act and the Railroad Retirement and Survivors Act. There are many very important pieces of legislation that did not require a conference. I believe that, upon examination, my colleagues will see that the bill is basically the same as the one that was passed by the Senate, with the exception of the Torricelli amendment, which had to do with the lowest unit rate requirement for the purchase of television ads.

Frankly, in the interest of straight talk, I have never seen any way you can emerge victorious over the broadcasters. The broadcasters have \$70 billion worth of spectrum. They win no matter what. If anybody thinks we can beat the broadcasters, I would like to interest you in some desert land in Arizona.

Aside from that amendment, the bill is really in its original form as passed by the Senate. Again, I want to say not only to my colleagues in the Senate but to those in the other body, this has been a very emotional, spirited debate. A great deal is at stake. As the Senator from Kentucky said, we are shooting with real bullets here. The President's spokesperson said the President would sign this bill if it was passed by both Houses. It has been passed by both Houses, and I look forward to the opportunity of seeing it pass. We did have several weeks of debate and amendments on the floor of the Senate. So I am not sure it would show any particular improvement by further debate and votes because we have been over this ground pretty thoroughly.

Again, I thank the majority leader for his attention and priority of this issue. I will point out, I think the Sen-

ator from Kentucky knows the effective date is November 6, rather than the date of enactment as passed through the Senate. There are a number of reasons for that, but primarily we are so late in the campaign season, it would be very difficult to sort out moneys that are spent and obligated. There would be a lot of court challenges and questions as to the whole financing structure of the campaign of 2002. So I thank the majority leader.

I yield to my colleague from Kentucky.

Mr. MCCONNELL. I say to my friend from Arizona, I don't know whether we will end up not having these annual dances we have had over the last decade or so. But if in fact that is the way it is, I have enjoyed the debates we have had over the years. If it ends up that we don't have these anymore, I will sort of miss them in a perverse sort of way.

I want to say that, with regard to the hard money issue, which the Senator from Arizona knows I care deeply about—and he has been supportive of that as well—I think great progress has been made on that subject in the bill of which the Senator from Arizona was a principal sponsor, which left the Senate and passed the House. Both candidates and parties have been operating under hard dollar limits set at a time when a Mustang cost \$2,700. We did a study of the cost to candidates over a 6-year term, and for the typical candidate in America over a 6-year term, the cost of running the same campaign he ran 6 years before is up 40 percent. So certainly that is a good feature in the bill.

Again, I commend the Senator from Arizona for his steadfast interest in this issue, and he has been a great competitor.

I admire him greatly. We will be prepared to deal with this issue after the recess.

Mr. MCCAIN. I thank my friend from Kentucky for his kind words. I do want to say, I may not miss it at all.

(Laughter.)

My friend from Wisconsin is here. We shared the very wonderful moment last night with our colleagues in the House and Congressman MEEHAN and Congressman SHAYS. It was quite a remarkable time. I am glad to have been able to be a part of this process.

I say again, the opposition has been principled, honorable, and ferocious. That is in the tradition of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I spoke this morning of the great victory of campaign finance reform in the House last night and the importance of taking up a bill quickly in the Senate so we can send it to the President. I expressed concern that games might be played by the House leadership in transmitting the bill to the Senate so we can consider it. I was pleased by the announcement this afternoon by

Speaker HASTERT that the bill should come over to us in a matter of days. That is good news, and I am pleased to hear it.

I, too, thank the Senator from Kentucky. He was very gracious in his remarks today. Whether or not we miss this process in the future is one issue. Certainly that has been the nature of the experience over these many years, and I sincerely thank him for that.

The possibility of delay still exists in this body. I sincerely thank the majority leader for his tremendous commitment today to bring up the bill in the Senate as soon as it comes over and to lead us in fighting through whatever procedural hoops might be placed in our path to try to stop the Senate from acting on the bill.

We had a long, fair, and good debate last year on this legislation. Any effort to prevent the Senate from acting on the bill I think will simply delay the inevitable; it would frustrate the will of the Senate and the will of the American people.

Yesterday's strong bipartisan vote in the House after marathon debate demonstrates once again the time has come to pass the bill. As much as some tried to deny or rationalize it, the soft money system taints all of us in this body, and it truly undermines our credibility with the American people.

There does come a time when we have to say enough. That time is now. As soon as the bill comes to us from the House, let's take it up; let everyone say a final word about their positions, and then send it to the President to be signed into law.

Again, I thank the majority leader. I thank my good friend, Senator MCCAIN. I yield the floor.

The PRESIDING OFFICER (Mr. REED). The majority leader.

Mr. DASCHLE. Mr. President, I thank the distinguished Senator from Wisconsin and the distinguished Senator from Arizona for their incredible leadership. History will be written, and when it is, these two outstanding Senators will be acknowledged for the tremendous contribution they have made to the improvement of our political system.

Once again, and not for the last time, I acknowledge their leadership and appreciate very much the effort they have made to get us to this point.

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Continued

Mr. DASCHLE. Mr. President, I want to make sure that I clarify something. Just because we are not having additional votes does not mean Senators could not come over and offer additional amendments. Senator DODD has indicated a desire to stay here for as long as there are those who have amendments. We may be able to obtain a finite list. I hope we can continue to chip away at those amendments tonight and tomorrow.

I want to accommodate Senators who have dates with spouses and significant

others, but there may be those who have neither and would be more than willing to come over and talk about election reform. If that is the case, we are ready. I know Senator McConnell is every bit as interested in moving this legislation along.

I applaud our managers and thank them for their willingness to stay here and continue this effort. Please, if Senators have amendments, come to the floor. We will do these two votes and we are interested in doing more, even though we will not have additional rollcall votes tonight.

I yield the floor.

VOTE ON AMENDMENT NO. 2891, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2891, as amended.

The amendment (No. 2891), as amended, was agreed to.

Mr. DODD. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

THE PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 2890

Mr. DODD. Mr. President, is the pending business now the Lieberman amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to speak for up to 6 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Mexico is recognized.

(The remarks of Mr. BINGAMAN are printed in today's RECORD under "Morning Business.")

Mr. BINGAMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Connecticut.

Mr. DODD. Mr. President, I am about to propound a unanimous consent request which has been cleared on both sides. I ask unanimous consent that at 5:16 p.m. today the Senate resume consideration of the Lieberman amendment, No. 2890; that there be 2 minutes of explanation and the Senate then vote in relation to the amendment;

that following the vote, regardless of the outcome, the Senate resume consideration of the Burns amendment and there be 2 minutes of explanation prior to a vote in relation to the amendment; that no second-degree amendments be in order to either of the two amendments prior to the vote, with all time equally divided and controlled in the usual form; and that if an amendment is not disposed of, it recur in the order in which it was voted, without further intervening action or debate.

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

Mr. DODD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2890, AS MODIFIED

Mr. LIEBERMAN. Mr. President, I ask unanimous consent I be allowed to modify the amendment. Apparently one of the pages of the amendment was inadvertently left off.

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

The amendment will be so modified.

The amendment, as modified, is as follows:

(Purpose: To authorize administrative leave for Federal employees to perform poll worker service in Federal elections)

At the end of title IV, add the following:

SEC. 402. AUTHORIZED LEAVE FOR FEDERAL EMPLOYEES TO PERFORM POLL WORKER SERVICE IN FEDERAL ELECTIONS.

(a) SHORT TITLE.—This section may be cited as the "Federal Employee Voter Assistance Act of 2002".

(b) LEAVE FOR FEDERAL EMPLOYEES.—Chapter 63 of title 5, United States Code, is amended by inserting after section 6328 the following:

"§ 6329. Leave for poll worker service

"(a) In this section, the term—

"(1) 'employee' means an employee of an Executive agency (other than the General Accounting Office) who is not a political appointee;

"(2) 'political appointee' means any individual who—

"(A) is employed in a position that requires appointment by the President, by and with the advice and consent of the Senate;

"(B) is employed in a position on the executive schedule under sections 5312 through 5316;

"(C) is a noncareer appointee in the senior executive service as defined under section 3132(a)(7); or

"(D) is employed in a position that is excepted from the competitive service because of the confidential policy-determining, policy-making, or policy-advocating character of the position; and

"(3) 'poll worker service'—

"(A) means—

"(i) administrative and clerical, nonpartisan service relating to a Federal election performed at a polling place on the date of that election; and

"(ii) training before or on that date to perform service described under clause (i); and