

Mr. LEVIN. Because if we are serious about giving every citizen a voice and it not being submerged by big, undisclosed contributions, and I do not care if it is from corporations or from the labor movement or from wherever it comes, if they want that individual citizen to continue to have a real voice in America, we cannot vote for this amendment. We simply cannot vote for it.

Now, look, there may be some question about what the Supreme Court will eventually do. It has been 20 years since their decision. A lot has happened, including the explosion of these issue ads. One Circuit says we can regulate them. Another casts doubt on that. But we will leave that up to the courts.

What we should do is do what is right in terms of our obligations. Do not hide behind your theories of the First Amendment, especially when some of my colleagues not so recently rather glibly voted to amend it. We have here a question of the future health of this democracy.

I just want to conclude by reading from a nonpartisan study, the Annenberg study; and this is what it says. "This report catalogues one of the most intriguing and thorny new practices to come into the political scene in many years, the heavy use of so-called issue advocacy advertising by parties, labor unions, trade associations, and business, ideological and single issue groups during the last campaign. This is unprecedented and represents an important change in the culture of campaigns. To the naked eye, these issue advocacy ads are often indistinguishable from ads run by candidates."

I just want to read what the executive director of the NRA said about these. And I am not talking about the substance of their ads. I have no quarrel with them in terms of whether they should be permitted or not. That is not the issue.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. LEVIN) has expired.

(By unanimous consent, Mr. LEVIN was allowed to proceed for 1 additional minute.)

Mr. LEVIN. The question is whether they should come within the kind of regulation that now applies to ads that say "elect" or "defeat."

Here is the what the executive director of the NRA's Institute for Legislative Action said. "It is foolish to believe there is any practical difference between issue advocacy and advocacy of a political candidate. What separates issue advocacy and political advocacy is a line in the sand drawn on a windy day."

Now, look, I think Shays-Meehan protects voter guides like we presented here. If there is any question about that, let us have an amendment that relates to voter guides. Though I do not think it is necessary. But do not present an amendment that guts the

entire issue advocacy provisions of this bipartisan bill.

Mr. PAUL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment. I want to compliment the gentleman from California (Mr. DOOLITTLE) for offering it.

Certainly, if nothing else, we ought to protect the rights of individuals and groups to distribute voter guides. There is an argument here whether or not it is actually doing this. But, obviously, the Member from California feels strongly that this is necessary in order to protect this right.

There has been a lot of talk here about soft money. I just often wonder about soft money. I know something about hard money. But this business of soft money and soft money automatically being bad is something we should think seriously about. Because so often when we are talking about soft money, we are talking about the people's money, their money, their property. Sure, it is a first amendment right. But there is also a property rights issue here. When people have money, they have a right to spend it; and if they want to spend it on a voters guide, they certainly ought to be able to do this.

So I think it is a very important amendment and we should pay close attention to this to make sure that we pass this amendment. The problem with attacking big money without knowing why there is big money involved in politics I think is the problem that we face. Big money is a problem. They are spending \$100 million a month to lobby us in the Congress and hundreds of millions of dollars in the campaign, but nobody ever talks about why they are doing it.

There is a tremendous incentive to send all this money up here. Unless we deal with the incentive, we cannot deal with the problem. So, so far, almost all the talk that we have heard on this campaign finance reform is dealing with the symptom. The cause is Government is too big. Government is so big there is a tremendous incentive for people to invest this money. So as long as we do not deal with that problem, we are going to see a tremendous amount of money involved.

But what is wrong with people spending their own money to come here and fight for their freedom? What if they are a right-to-life group? What if they are a pro-gun-ownership group? What if they are a pro-property-ownership group? Why should they not be able to come and spend the money like the others have?

It just seems like they have been able to become more effective here in the last few years, and it seems like now we have to clamp down on them because they have an effective way to come here and fight for some of their freedoms back again.

So I think that we are misguided when we talk only about the money and not dealing with the incentive to spend the money, and that is big gov-

ernment. All the rules in the world will not change these problems. We had a tremendous amount of rules and laws written since the early 1970s and all it has done is compounded our problems.

So I think openness and reporting requirements to let people know where we are getting the money, let the people decide if we are taking too much from one group. But to come down hard and attack on individual liberty and the right for people to spend their money and the right for the people to distribute voters guides, I cannot say see how that is going to solve any problems. I mean, what are we doing here? I think it is total foolishness.

So I strongly endorse this amendment, and let us hope we can pass this amendment.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. PAUL) has 2 minutes remaining.

Mr. DOOLITTLE. I would like the gentleman from Michigan (Mr. LEVIN) or the gentleman from Connecticut (Mr. SHAYS) or someone from the side of the proponents of Shays-Meehan to explain to me why, in their opinion, the 1994 Christian Coalition voters guide is approved under Shays-Meehan. They say that so clearly, but it is quite clear to me that there is nothing clear about Shays-Meehan. I would like to have them specifically address themselves, instead of making the assertion and moving on, if they would please specifically address that illustration down there, which let us have it brought up in front of the House here, and explain to me why they think that that is protected.

If I were satisfied that that were protected by Shays-Meehan, I probably would not offer this amendment.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from California.

Mr. CAMPBELL. I would like to take up the challenge offered.

If we take a look at the voter guide, the standards under Shays-Meehan are met. The voter guide is not express advocacy if it presents information in an educational manner solely about the voting record or position on a campaign issue with two or more candidates. It does. There are two candidates there, and it presents simply their positions on the issues.

Two, that it is not made in coordination with a candidate, political party, or agent of that candidate. We do not know if this was or not. But, obviously, there is nothing I can tell from the four corners of the document that it was.

And, lastly, that it not contain a phrase such as "vote for," "reelect," "support," or "cast a ballot for." And I

again look to the document, and it has none of those words in it.

I rest my case.

The CHAIRMAN pro tempore. The time of the gentleman from Texas (Mr. PAUL) has expired.

(By unanimous consent, Mr. PAUL was allowed to proceed for 3 additional minutes.)

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from Texas.

Mr. DELAY. The gentleman from California (Mr. CAMPBELL) fails to continue reading the language that concerns us the most. And the language says, it does not contain words that in context can have no reasonable meaning other than to urge the election or defeat of one or more cleared identified candidates.

This is where the rift is, where reasonable meaning. And we say that big government gets to decide, according to the language of the gentleman from California, what "reasonable meaning" is. And if I pass this out in a church, my opposition could very well say that, under reasonable understanding, that they are trying to sway the people in that church with this voter guide towards the gentleman from Iowa (Mr. GANSKE) on this voter guide. Therefore, they would have to come under Federal regulations.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from California.

Mr. DOOLITTLE. I would like to answer the gentleman from California (Mr. CAMPBELL) as well.

The gentleman from Texas (Mr. DELAY) is quite correct. He conveniently left out that key phrase.

I want to note that one of those points says promoting homosexuality to school children. And then down below in the real fine print, which no one can read from here, the Christian Coalition is described as a pro-family action organization, I believe is the phrase.

In context, I believe a reasonable person could conclude that a pro-family action organization does not think it is a good idea to promote homosexuality to schoolchildren and, therefore, that would fall under Shays-Meehan as being held to be applicable to their law and, therefore, would be banned.

I would like the gentleman from California (Mr. CAMPBELL) to explain to me his interpretation.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from California.

Mr. CAMPBELL. The phraseology in Shays-Meehan refers to the words, the phrases, the slogan, that in context can have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates.

The example we have before us does not give any statement regarding whether it is a good position or a bad

position to be in support or in opposition to any of the listed subject matters. Accordingly, it passes the test under Shays-Meehan.

More fundamentally, the language that the gentleman from California would put in instead of the narrowly tailored voter guide exception of Shays-Meehan says that any communication that makes a comment on any position on an issue, even by a single candidate, qualifies as a voter guide. It does not have to refer to a voting record, it can refer only to a position taken, and he extends it to the phrase "commentary."

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Accordingly it is a Mack truck kind of exception. Virtually anything could be called a "voter guide."

The CHAIRMAN pro tempore (Mr. SHIMKUS). The time of the gentleman from Texas (Mr. PAUL) has expired.

(By unanimous consent, Mr. PAUL was allowed to proceed for 2 additional minutes.)

Mr. PAUL. Mr. Chairman, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I listened to the gentleman's explanation. The phrase in this bill that he supports says that words in context have no reasonable meaning other than to urge the election or defeat. I would submit to my colleague that the words "office of promoting homosexuality in schools" where one candidate opposes it and one supports it, those words in conjunction with the Christian Coalition card, which in context is being distributed in churches and the card or the word says it is a Christian action organization, those would be deemed, or could be deemed, to constitute the context advocating the election of the gentleman from Iowa (Mr. GANSKE) and the defeat of his opponent.

Mr. GANSKE. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from Iowa.

Mr. GANSKE. Mr. Chairman, I appreciate the gentleman yielding, particularly since I was back in my office, and all of a sudden I saw my campaign re-enacted on the floor here.

I oppose the Doolittle amendment. If I thought that the Shays-Meehan language would prohibit a voter guide like this one, I would not support the Shays-Meehan language. But when I read the Shays-Meehan language, it seems to me clear that this type of voter guide is okay; I mean, presents information in an educational manner about a voting record or a position on a campaign of two or more issues, and in terms of this particular item here, it refers to a vote that was made here.

Mr. PAUL. Mr. Chairman, I reclaim my time, and I yield to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, I just want to say, if that is the case for the gentleman from Iowa, then he ought to support Doolittle because Doolittle is

very clear. In fact it uses Supreme Court language as his amendment that says that we can do voter guides unless we specifically advocate the election or defeat of a candidate.

There is no in-between, and Shays-Meehan is very ambiguous.

The CHAIRMAN pro tempore. The time of the gentleman from Texas (Mr. PAUL) has expired.

Mr. MEEHAN. Mr. Chairman, I move to strike the requisite number of words.

I think, Mr. Chairman, the evidence here is quite clear that the language does, in fact, in the Shays-Meehan bill, does allow this particular voter guide. That is why the amendment needs to be defeated.

There has been some arguments here that voter guides are unallowable. I think the evidence is overwhelming that the language does not say at all that they are not allowable. In fact, I would say that the gentleman from California (Mr. DOOLITTLE) was reading from the wrong section. The section says: expressly unmistakable and unambiguous support for our opposition; 2, one or more clearly identified candidates when taken as a whole and with limited reference to external events such as proximity to an election.

So it is overwhelmingly clear that this particular provision is nothing more than a smokescreen to try to defeat our bill.

Mr. GANSKE. Mr. Chairman, would the gentleman yield?

Mr. MEEHAN. I yield to the gentleman from Iowa.

Mr. GANSKE. Mr. Chairman, I think it is important that we pass legislation that deals with issue advocacy.

Once again, while I was watching from my office, I saw or heard about a campaign ad that was run against me in 1996. The text of the act reads:

It's Orlando water. American's environment must be protected, but in just 18 months Congressman Ganske voted 12 times out of 12 to weaken environmental protections. He even voted to let corporations continue releasing cancer-causing pollutants in our air. Congressman Ganske voted for big corporations who lobbied these bills, gave them thousands of dollars in contributions. Call and tell him to protect bla bla bla.

That is clearly an issue ad. It is the type of ad that we need to get after in terms of this legislation. There is a great big difference between that type of issue ad and a voter registration, a voter guide, that is put out either by this organization or any other number of organizations, and I think that we should defeat the Doolittle bill.

Mr. LEVIN. Mr. Chairman, will the gentleman yield?

Mr. MEEHAN. I yield to the gentleman from Michigan.

Mr. LEVIN. Mr. Chairman, I applaud the gentleman from Iowa (Mr. GANSKE) for going back to his election. He won it, so it is a little easier than if he had lost it. But he is a Republican, I am a Democrat, but the last thing I would deny is that that ad that was run against him was a campaign ad.