
Federal Campaign Finance Reform: The Long and Winding Road

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On February 26, 2001, Senator John McCain (R-Ariz.) spoke at the University of Oklahoma to an enthusiastic crowd of fifteen hundred people from the university and surrounding communities. Oklahoma was one stop in a series of events throughout the country that the senator and his reform ally, Senator Russell Feingold (D-Wis.), were conducting to put pressure on their fellow senators to vote for campaign finance reform legislation. Given the current prospects for such legislation, McCain's stop in Oklahoma was perhaps a symbolic linkage between the beginning and the completion of a reform effort that began in the mid-1980s. He was invited to Oklahoma by the president of the university, David Boren. A former Democratic U.S. senator from Oklahoma, Boren was a key figure in starting the recent reform process.

This article traces the series of reform fights in Congress over the past fifteen years, as the problems in the campaign finance system altered and as a changing cast of members of Congress took up the torch of reform with proposals responding to the different problems. The article is intended to offer some perspective for those who first began paying attention to campaign finance reform during the 2000 presidential campaign, when McCain brought the issue to the nation's attention and made it a priority in the crowded agenda of the nation's capital.

Overview: Watergate and Beyond

In 1974, in the wake of the Watergate scandal, the landmark Federal Election Campaign Amendments (FECA) were enacted, setting contribution limits for all federal campaigns and establishing a system of public financing and spending limits for presidential campaigns. In 1976, Congress passed legislation making changes to the 1974 act in response to the Supreme Court's *Buckley v. Valeo* decision, which upheld FECA but struck down some of its provisions. In the late 1970s, efforts to pass public financing for congressional campaigns were turned back, and in 1979 Congress enacted some minor changes to

FECA. It was not until 1985 that Common Cause and its reform allies in Congress were able to get Congress to vote on significant reform legislation.

From 1979 until 1985, there were no significant reform votes. This break was in some sense artificial; reformers did not totally retreat from their efforts. Rather, the early years of Ronald Reagan's presidency (he was elected in 1980) were not conducive to reform, and some of the groups pushing reform became engaged in other issues.

Changing Problems: PACs and Soft Money

During the period from the mid-1980s to the turn of the new century, the landscape of the nation's campaign finance system changed profoundly. These changes determined which reform proposals were brought before Congress. In general, reform advocates attempted to focus on the worst problems in the system at the time, but they were also influenced by their view of what could be passed in the Senate or House.

In the mid-1980s, the problem at the top of the agenda was the influence of political action committee (PAC) contributions, particularly their role in protecting incumbents in the House of Representatives. Under FECA, PACs may contribute up to \$5,000 to a candidate in each election. Although a corporation, union, or other organization may establish a PAC and pay for its administrative expenses, all contributions made by the PAC must come from funds that are voluntarily contributed by employees of the corporation or members of the union.

The recent reform effort started during Reagan's presidency with a proposal of a fairly simple limit on the amount of PAC contributions that candidates could accept. Over the period from 1988 to 1994, when Democrats were in control of both houses of Congress, public financing measures were a key part of the reform agenda in Congress. Common Cause and other reform groups championed various forms of public financing: matching grants, communications vouchers, and free or reduced-cost TV time. The Republican takeover of Congress in 1994 effectively marginalized public financing as a near-term reform goal. It remains a key reform in many states and a long-term goal at the federal level.

More recently, since 1995, McCain and Feingold in the Senate and Representatives Christopher Shays (R-Conn.) and Martin Meehan (D-Mass.) in the House have focused their efforts on the most egregious problem in the campaign finance system today: soft money. The term refers to unlimited donations from corporations, labor unions, and wealthy individuals to the political parties, which in turn funnel the money into federal campaigns. Much of this money would be illegal if given to candidates directly, such as money from corporations and labor unions. Although a corporation or union may establish a PAC, it is prohibited from making donations directly from its treasury to a party's federal account and to a candidate.

The soft-money system had its origins in a 1978 Federal Election Commission ruling, but it was not until the 1988 campaign that soft money became a major factor in elections. Soft-money contributions went from an estimated \$19 million in the 1980 election to \$45 million in 1988 but then soared to \$463 million in the 2000 election. Soft money so dominates the campaign finance system that without eliminating it, there is little hope that other reforms will be at all effective. As E. J. Dionne, political columnist for the *Washington Post*, writes, "McCain and Feingold are . . . proposing a first step that doesn't go far enough, but is absolutely necessary if other steps are to be taken."¹ Indeed, the wave of soft money has effectively obliterated virtually every campaign finance reform of the past century: the 1907 ban on corporate contributions to candidates, the 1947 ban on labor treasury contributions to candidates, the 1974 contribution limits, and the 1974 spending and public financing system for presidential campaigns.

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As this article was being written, the Senate was considering the McCain-Feingold bill. S. 27, the Bipartisan Campaign Finance Reform Act of 2001, bans soft money and restricts "phony" issue ads run by corporations and unions. Reformers have several reasons to be optimistic that the legislation will be enacted. McCain made the issue of campaign finance reform salient in the campaign this past fall, and five opponents of reform were replaced with new senators who are likely to support it. Because of the new senators, reformers now have the support of sixty senators, enough to overcome a filibuster, a key procedural obstacle during this cycle of reform.²

Although the Senate elections brought new support in Congress for reform, the results of the presidential election may have placed a major obstacle in its path. Al Gore pledged to make campaign finance reform his first priority. Although President George W. Bush has not indicated what action he will ultimately take, he has not expressed support for the McCain-Feingold bill. If Bush reprises his father's 1992 veto of reform legislation, sixty-seven votes in the Senate would be needed to pass McCain-Feingold into law.

Finally, the real possibility that the McCain-Feingold bill might pass this time around has attracted new opposition. Many Democrats are worried that the end of soft money and an increase in the limits on hard money would favor the Republicans. The Republican national party raises far more hard money than the Democratic party: \$345 million to \$207 million in the 1999–2000 election cycle. Additionally, organizations ideologically compatible with the Republican party pour far more money into independent spending. Therefore, according to this view, without the outlet of soft money, big money in politics would go disproportionately to independent groups to buy so-called sham issue ads, campaign ads masquerading as issue discussion. Labor unions, which were quiet during reform fights in recent years, have stepped in this time, expressing serious opposition to elements of the McCain-Feingold bill.

Federal Campaign Finance Reform: An In-Depth Retrospective

Reform of the federal campaign finance system has proven to be difficult for a number of reasons. Although perceptions of relative advantage color each major party's view of reform, incumbents in both parties are often reluctant to alter a system that they have benefited from. Reform proponents have also had to adapt their proposals to changing political conditions, not the least of which has been the change in party control of the White House and Congress over the course of the contemporary reform cycle. This section details the legislative struggles over campaign finance reform since 1985.

Boren-Goldwater: Ninety-Ninth Congress, 1985–86. During his time in the Senate, David Boren, a moderately conservative Democrat, developed great respect for the icon of conservative Republicans, Barry Goldwater of Arizona. In 1985, Boren asked Goldwater to team up with him on a reform bill he was planning to introduce. For Goldwater, allying himself with a moderate Democrat in a fight against special interests was a break with the leadership of the Republican party but was in keeping with his view that limited government should serve the people.

Boren and Goldwater, joined by a bipartisan group of Senators, took their proposal to the Senate floor in December 1985.³ The focus of the bill, S. 1806, the Campaign Finance Reform Act Boren-Goldwater, was an aggregate limit on PAC contributions, that is, an overall limit on the dollar amount that each candidate could accept in PAC contributions (the amount of the limit for senators was set by a formula based on voting-age population, while House candidates would be limited to \$100,000). On December 3, by a vote of 7–84, the Senate rejected a motion to table the Boren-Goldwater bill. The bill had been offered as an amendment to S. 655, the Low-Level Radioactive Waste Compact; that bill was pulled from consideration after the vote because the leadership feared Boren-Goldwater would pass as an amendment to the otherwise noncontroversial measure. Several months later, the pair from Oklahoma and Arizona brought the bill to a vote again, this time winning passage by a vote of 69–30 on August 12, 1986.

But the Boren-Goldwater bill, passed late in the Ninety-ninth Congress, did not go any further—a harbinger of the next fourteen years of reform efforts. The House did not act on similar legislation, and the Boren-Goldwater bill died.

Eight Cloture Votes: One-Hundredth Congress, 1987–88. After the Ninety-ninth Congress, Goldwater retired from the Senate, ending his thirty-year career there. But Boren had a new partner as he faced the next round of reform in the Senate. The majority leader, Robert Byrd (D-W. Va.), teamed up with Boren and became one of the leaders of the effort. Byrd, who at that time had been in the Senate for nearly thirty years, was the grandmaster of Senate rules and procedures; his willingness to lead the fight was a major boost for reform. Byrd and Boren sponsored S. 2, the Senatorial Election Campaign Act,

a bill that included spending limits, reduced-cost broadcasting and mail rates, soft-money restrictions, and an aggregate PAC limit.

The proposed aggregate limit on PAC contributions that candidates could accept was based on a percentage of the spending limit (which was itself based on the voting-age population for each state). In S. 2, the limit on PAC contributions was 30 percent of the spending limit, up to \$825,000. In the reform fights over PAC limits, reformers supported PAC limits in the range of 20 percent of the spending limit, while PAC supporters tried to eliminate the limit or negotiate a figure up to 50 percent of the spending limit.

In one of the most extraordinary exhibitions of perseverance on the Senate floor, from June 1987 to February 1988 Byrd led the Senate through eight unsuccessful cloture votes to end a filibuster.⁴ Byrd was able to muster fifty-three votes for cloture in the eighth and final attempt. But even his prodigious political power and parliamentary skill could not overcome the stubborn opposition of reform opponents (among them Minority Leader Robert Dole, R-Kans.).

Just before the final cloture vote, Byrd, averting an attempt to adjourn the Senate for lack of a quorum raised, used an arcane rule to ask that the Senate sergeant at arms be instructed to arrest the absent senators and bring them into the chamber. Senator Robert Packwood (R-Oreg.) was carried, peacefully but forcefully, onto the Senate floor.

The multiple cloture vote strategy failed, but Byrd and others believed the prolonged fight focused media attention on campaign finance reform and put the issue firmly on the national agenda.

In the House, the long dry spell for reformers continued. Representatives David Obey (D-Wis.), James Leach (R-Iowa), and Mike Synar (D-Okla.) introduced H.R. 2717, the Federal Election Campaign Act, which included spending limits, public matching funds, and an aggregate PAC limit. The House did not act on it.

The Big Stall: 101st Congress, 1989–90. The 101st Congress was a frustrating time for reform advocates. For the first time since 1974, both the House and Senate passed comprehensive reform bills, but passage was delayed until late in the session, leaving only a few weeks for a conference committee to meet and resolve differences between the two bills. Opponents were able to block any effort to convene a conference, and once again reform foundered on the shoals of delay.

The Senate passed S. 137, Senatorial Campaign Amendments, by a vote of 59–40 on August 1, 1990. Majority Leader George Mitchell (D-Maine), along with Boren, Byrd, and others, sponsored the bill. S. 137 included spending limits; TV vouchers; reduced-cost TV, radio, and mail; a ban on PAC contributions (with a backup provision setting an aggregate limit should the ban be ruled unconstitutional); and soft-money restrictions. Common Cause strongly supported the legislation.

As the Senate was once again moving ahead to pass reform legislation, the Democrat-controlled House was struggling. Reluctant Democrats patched

together a reform measure with virtually no Republican input or support. The bill, H.R. 5400, Campaign Cost Reduction and Election Reform Act, passed by a vote of 255–155 on August 3, 1990. H.R. 5400 included spending limits; reduced-cost TV, radio, and mail; tax credits for in-state contributions; a 50 percent aggregate PAC “limit”; and soft-money restrictions. The votes on this bill were the first in the House on campaign finance since 1979. Common Cause offered lukewarm support for the final measure, hoping that a conference with the Senate would result in stronger legislation.

During House consideration of the bill, Common Cause supported an amendment offered by Synar and Obey, which included a 40 percent PAC limit, spending limits, public matching funds, and lower individual contribution limits. The amendment was defeated on August 3, 1990, by a vote of 122–128, as Republicans, in a parliamentary maneuver intended to kill the overall bill, voted “present.”

Bush Veto: 102nd Congress, 1991–92. In the 102nd Congress, reformers suffered yet another twist of the knife. This time, a bill was sent to the president’s desk for signature, but it was all a thinly veiled ruse. Many members of Congress who voted for the measure did so knowing that the president would veto the bill and that there were not enough votes to override the veto.

At the outset of this Congress, Boren teamed up with a formidable set of Democratic senators: Majority Leader Mitchell; Wendell Ford (Ky.), chair of the Rules Committee; Robert Byrd, now chair of the powerful Appropriations Committee; and Carl Levin (Mich.), a key strategic leader for reform. This group and others sponsored S. 3, the Senate Election Ethics Act, which included spending limits, public financing, aggregate PAC limits, and soft-money restrictions. The public financing provisions included communications vouchers, low-cost mailing, and discounted TV rates. S. 3 passed the Senate by a vote of 56–42 on May 23, 1991.

The House Democratic leadership developed legislation similar to S.3. This bill, H.R. 3750, the House of Representatives Spending Limit and Election Reform Act, included spending limits and an aggregate PAC limit (public financing provisions were struck from the bill before it reached the House floor). The bill passed the House by a vote of 273–156 on November 25, 1991. Yet the strong support of Democrats was misleading; they knew that Bush intended to veto campaign finance reform legislation passed by a Democratic Congress. For those Democrats who secretly opposed reform, this vote was an easy way out: a way to be for reform publicly, all the while knowing no reform would be signed into law, and they could later campaign against Bush as the antireform candidate.

The House adopted the S. 3 conference report by a vote of 259–165 on April 9, 1992. The Senate passed the S. 3 conference report by a vote of 56–42 on April 30, 1992. On May 9, 1992 Bush vetoed the bill, saying, “We do not need . . . a taxpayer-financed incumbent protection plan.”⁵ Four days later, in a predictable and anticlimactic vote, the Senate failed to override the veto by

a vote of 57–42 (nine votes short of the required two-thirds majority). Common Cause supported the legislation but did so with a sense of resignation over the foreseeable outcome.

Clinton, Foley, and McConnell: 103rd Congress, 1993–94. On Inauguration Day, January 20, 1993, President Bill Clinton told the nation in his inaugural speech: “This beautiful Capital, like every capital since the dawn of civilization, is often a place of intrigue and calculation. . . . And so I say to all of you here: let us resolve to reform our politics so that power and privilege no longer shout down the voice of the people. . . . Let us give this Capital back to the people to whom it belongs.”⁶ But the reform sentiment reflected in the speech proved to be short-lived and insincere. Within weeks, in meetings with the Democratic leadership in Congress, Clinton readily acceded to their view that campaign finance reform would hurt Democrats’ ability to hold onto their majorities in Congress. Over the next eight years, Clinton occasionally included support of reform in his speeches but never made any significant effort to push for campaign finance reform legislation in Congress.

This failure to support reform was never more critical than in the 103rd Congress, when both the Senate and House passed sweeping reform legislation, including spending limits, public resources in the form of low-cost TV and other communications resources, soft-money restrictions, and PAC limits.

The Senate passed S. 3, the Congressional Spending Limit and Election Reform Act, by a vote of 60–38 on June 17, 1993. The bill’s principal sponsors were Boren and Mitchell. S. 3 included spending limits, low-cost TV time and mail rates, a PAC ban, and a soft-money ban. Common Cause supported the legislation.

The House again passed a broad but weaker version of the Senate bill. H.R. 3, the Campaign Spending Limit and Election Reform Act, passed by a vote of 255–175 on November 22, 1993. H.R. 3 included spending limits, an aggregate PAC limit, communications vouchers (without a funding mechanism), and soft-money restrictions. Representative Sam Gejdenson (D-Conn.) and the Democratic leadership sponsored the bill.

The House bill was less attractive to reformers, but there was a realistic possibility that a House-Senate conference committee would produce a strong reform package. Unfortunately, over the year remaining in the 103rd Congress after the House passed its bill in November 1993, the Democrats (who controlled Congress and the White House) stalled and refused to push hard for a conference. Both reform bills died.

The Democrats were not the only reason reform died in the 103rd Congress. Another key figure in this protracted stall was a long-time opponent of reform who was emerging as the Darth Vader of Congressional reform battles. Republican Senator Mitch McConnell of Kentucky used the Senate’s sixty-vote filibuster weapon to block any efforts to move the Senate legislation to conference.

The opposition to reform by a range of Democrats and Republicans in Congress—as well as White House passivity—showed how thin and brittle

majority votes for reform are. There are many members of Congress who publicly support reform and vote for good legislation but then stand by and allow opponents to defeat any reform effort.

Republicans Take Over: 104th Congress, 1995–96. When the Republicans took over the House in 1995 after forty years of Democratic control, the leadership of the reform effort shifted to bipartisan groups that formed in both the House and Senate. In the House, moderate Republican Shays had already developed ties with liberal Democrat Meehan and other Democrats on a number of issues and began working with this bipartisan group on a gift ban, lobby disclosure rules, and campaign finance reform legislation. This coalition was critical to passage of gift limits and lobby disclosure rules in 1995 and continued to push its reform agenda, developing legislation and expanding the bipartisan coalition. The efforts of Republicans in this reform coalition were met with hostility from the newly empowered Republican House leadership.

In June 1995, campaign finance reform seemed to get a boost at an unusual joint public appearance by House Speaker Newt Gingrich (R-Ga.) and President Clinton in New Hampshire. When the speaker was asked a question about reform, he responded by proposing a commission. Clinton and Gingrich reached toward each other and shook hands, agreeing to establish a campaign finance reform commission. The proposal later died, but the photo of the handshake continued to appear in the media as reform measures floundered in the 104th Congress.

The House coalition's first test on campaign finance reform was playing defense to defeat a Republican-leadership-backed campaign finance bill. The bill, H.R. 3820, was designed to take the reform issue from the Democrats. Introduced by Rep. Bill Thomas (R-Calif.) and later revised when it met with widespread opposition (from Common Cause among others), the bill featured a mish-mash of proposals including a paycheck protection provision⁷ that guaranteed Democratic opposition. The bill was defeated by a vote of 162–259 on July 25, 1996.

The Republican leadership was responding to the successful effort by Shays and Meehan to forge a bipartisan coalition behind real reform. H.R. 2566, the Bipartisan Clean Congress Act (supported by Common Cause), was sponsored by Shays, Meehan, conservative Linda Smith (R-Wash.), and Benjamin Cardin (D-Md.). The legislation included spending limits, a PAC ban (with an aggregate PAC limit as a backup), and a ban on soft money. The House did not consider the bill, but its introduction forced the leadership to consider an issue it had no interest in addressing.

Meanwhile, in the Senate, another cloture vote failed, but a new bipartisan coalition was forming. S. 1219, the Senate Campaign Finance Reform Act, was stopped on the Senate floor by a vote of 54–46 on June 25, 1996—six votes short of the sixty needed to end the filibuster. The bill was supported by Common Cause and sponsored by McCain, Feingold, and Fred Thompson (R-Tenn.).

The bill included spending limits, free and reduced-cost TV time, a PAC ban (with an aggregate PAC limit as a backup), and a ban on soft money.

As in the House, this new bipartisan set of Senate sponsors came together working on a successful effort to pass a gift ban rule. McCain, Feingold, and a few other Senators took on an issue close to the hearts and pocketbooks of members of Congress: gifts, meals, and travel paid for by lobbyists. Feingold, who had served in a legislature operating under one of the toughest gift bans in any state, was ready to bring this key reform to Congress. McCain, a politician with a reputation for honesty and forthrightness, had a brush with scandal when he became embroiled in the savings and loan debacle known as the Keating Five affair. Although in the end the Senate did not reprimand McCain, the matter did leave a stain on his career and, in the view of some observers, heightened his interest in reform.

Summer of '98: 105th Congress, 1997–98. During and after the 1996 election, there were numerous stories in the media—and investigations begun in the Justice Department—regarding violations of campaign finance laws, many of them involving soft-money contributions. In late 1996, Common Cause called on the Justice Department to investigate soft-money abuses by the Democratic and Republican parties. In a letter to the Attorney General, Common Cause said that the violations of campaign finance law that occurred during the 1996 presidential election were the most massive since the Water-gate scandal.

After more than a decade of the Senate taking the lead, in 1998 the leading edge of reform efforts shifted to the House. In a legislative battle playing out over several weeks in the summer of 1998, reformers skillfully negotiated an obstacle course set up by the House leadership to thwart reform and passed the Shays-Meehan soft-money ban, a bill that also included restrictions on phony issue ads.

Washington insiders all have stories to tell of titanic legislative fights over issues broad (for example, Social Security, defense spending) and narrow (such as ethanol tax incentives) that brought out the best in legislators and serve as case studies of how (or how not) to move legislation through Congress. This was one of those moments.

On April 4, 1998, the authoritative journal on Congress, *Congressional Quarterly*, declared the “year’s last gasp for comprehensive campaign finance legislation”⁸ was the defeat of a sham reform bill brought to the floor by the Republican leadership. The leadership had hoped to head off consideration of the Shays-Meehan legislation by offering a package with elements that would both appeal to and repel both sides on the issue. Their strategy failed, and the bill was defeated by an overwhelming vote of 74 to 337 on March 30, with every Democrat voting against the bill.

Shays, Meehan, and their allies were not ready to give up and continued an effort to bypass normal House procedures for considering legislation. Under a process called a discharge petition, reformers gathered more than 200

signatures of members who supported bringing the reform legislation to the House floor without approval of the leadership or the powerful Rules Committee. As reformers were about to gather the required 218 signatures (a majority of the 435 members of the body), Speaker Gingrich, an adamant foe of reform, headed off the process and agreed to allow the House to consider reform legislation.

But the leadership had not totally thrown in the towel. They devised a procedure that would delay passage of a bill in the House until late in the summer, leaving little time for the Senate to take up the bill. The leadership set a rule—the procedure under which legislation is considered—that allowed opportunities for nearly every possible opposing or undermining measure to be voted on by the House.

Over the course of the summer, from June 13 until August 6, the House considered a series of amendments and substitute bills for Shays-Meehan. Reformers beat back every “killer” and “poison pill” amendment, including measures designed to make the bill likely to be thrown out by the courts, a proposal to substitute a commission study for the bill, a paycheck protection amendment opposed by labor unions and designed to undermine Democratic support for the bill, and measures to repeal campaign finance laws in favor of a disclosure-only system.

Shays, Meehan, and their small bipartisan group of allies were faced with a House leadership totally opposed to reform and determined to place every possible obstacle in their path. Day by day, night by night, Shays and Meehan fought back competing amendments and bills with skillful, knowledgeable debate and legislative acumen. They were able to rally their troops at each crucial vote and defeat amendments that would have undermined critical provisions of their bill or would have splintered the bipartisan coalition they had painstakingly put together.

In the end, after substitute bills were defeated or withdrawn by their sponsors, the Shays-Meehan measure was passed by a vote of 237 to 186. The vote made the Shays-Meehan bill the last bill standing after the long fight; subsequently the House passed H.R. 2183 (now wholly amended by the Shays-Meehan bill) by a vote of 252 to 179 on August 6, 1998.

The Shays-Meehan triumph in the House was a victory for the future—one that put a majority of the House on record and ensured passage of similar legislation in the next Congress. But the victory celebration was muted by the reality that reformers could not reach the sixty votes needed to break a filibuster in the Senate.

The Senate followed a path similar to those of previous Congresses with a series of cloture votes. The latest version of McCain-Feingold was S. 25, the Bipartisan Campaign Finance Reform Act, which included a soft-money ban and restrictions on phony issue ads. With the leadership of Minority Leader Tom Daschle (D-S. Dak.), McCain and Feingold forced cloture votes on the measure in October 1997 but were not able to exceed fifty-three votes for clo-

ture. Several months later, on February 26, another cloture vote failed by a vote of 51–48. Later in 1998, on September 10, in the wake of the House passage of Shays-Meehan, McCain and Feingold tried one more time but were turned back by a vote of 52–48 for cloture, eight short of the necessary sixty votes.

Campaign Finance Reform and Presidential Politics: 106th Congress, 1999–2000

The progress of reform was slowed during the 106th Congress by the prospect of the upcoming presidential election. Both parties were willing to wait to see whether they would elect the new president and thereby gain some advantage in crafting changes in the campaign finance system.

Despite little prospect in the Senate for breaking the filibuster, Shays and Meehan pushed forward with their legislation in the House. After working unsuccessfully to get the leadership to bring up their bill early in the year, the reformers were given their opportunity in the fall of 1999. This time, the leadership again set up obstacles, but House consideration of the bill was more expeditious than the prolonged debate a year earlier.

In a foreshortened version of the marathon battle in 1998, the House voted down a series of amendments to the Shays-Meehan bill. The House passed H.R. 417, the Bipartisan Campaign Finance Reform Act, by a vote of 252 to 177 on September 14, 1999.

With little doubt about the outcome, the Senate again turned back an effort to end a filibuster by a vote of 52–48 on October 19, 1999.

However, McCain and Feingold were by now nationally recognized reform leaders who were becoming more intense in their pursuit of change in Congress. In 1998, Feingold had publicly demanded that the Democratic party and labor unions stop spending soft money for campaign ads thinly disguised as issue education. Wisconsin was the unwilling pioneer of this type of campaign spending, making Feingold and other Wisconsin politicians acutely aware of the problem. McCain was launching a presidential campaign that would generate excitement around an issue that had never been salient for politicians, that is, an issue that won or lost campaigns. Along with Democratic senator and presidential candidate Bill Bradley (D-N.J.), McCain made campaign finance reform central to their candidacies. In the 2000 election, five Senate opponents of campaign finance reform would lose and be replaced by candidates supporting reform.

Conclusion

We do not know (in late March 2001) the outcome of the McCain-Feingold/Shays-Meehan effort this year, but there is a treacherous obstacle course ahead even if McCain and Feingold succeed in the Senate. Whatever the outcome, reformers will be faced with difficult decisions. If a real reform bill is enacted,

what is the next step, and how can the momentum be sustained for further reforms that will surely become necessary? If reform stalls again in Congress, will it be possible to regain the momentum that seemed so powerful during the 2000 election? Will 2001 mark the end of this cycle of reform, or the start of a new cycle?

Notes

1. Dionne, E. J. "Op-ed." *Washington Post*, Mar. 20, 2001.

2. In the Senate, if a senator or group of senators chooses, they can "filibuster." Traditionally, this has meant speaking uninterrupted for hours or days, but Senate rules were changed so that senators can essentially declare a filibuster but not be required to actually speak.

3. Although the cycle described in this article began in the Senate in 1985, the Boren-Goldwater PAC limit bill had a precursor in the House in 1979. Representatives David Obey (D-Wis.) and Tom Railsback (R-Ill.) introduced a bill, H.R. 4970, the Campaign Contribution Reform Act, that was defeated by a vote of 217–198 on October 17, 1979. The bill included a \$70,000 aggregate PAC limit for House candidates. The bill was not considered in the Senate. Obey, joined by Rep. Mike Synar (D-Okla.) and Rep. James Leach (R-Iowa), continued this effort over the next two congresses but failed to get the bill out of committee. As noted, there were no significant votes on campaign finance reform during the 97th and 98th congresses.

4. To end a filibuster, sixty senators must vote to "invoke cloture." Thus on any issue that is at all controversial, a majority does not suffice; instead, three-fifths of the Senate is required.

5. *Congressional Quarterly Almanac*, 1992, p. 65.

6. *Congressional Quarterly Almanac*, 1993, pp. 3-5.

7. *Paycheck protection* refers to changes in labor law that require labor unions to exact written permission from union members before any union dues money is spent on political activity.

8. *Congressional Quarterly Almanac*, 1998, p. 18.

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