

## First came the battle — now comes the war



### CAPTAIN SENSIBLE

PAT PAYNE

“All Glory Is Fleeting.” — Spoken to Roman generals in triumphal parades  
Senators John McCain and Russ Feingold have chalked up a major victory for the cause of campaign finance reform. After six years of being defeated out of hand, their bill passed the Senate and is meant to address the issue of “soft money,” unregulated donations that corporations give to political parties rather than candidates.

Hard money, or money given directly to candidates, has been regulated since 1974, when in a post-Watergate drive to clean up its act, Congress passed the Campaign Finance Reform Act, limiting said donations to \$1,000. McCain-Feingold would raise the limit to \$3,000 and flat-out ban “soft” donations from being used for specific candidates.

Obviously, this is one bill that neither party has much love for, but thanks to McCain, a former Vietnam fighter pilot, and Feingold, his Democratic opposite number, they’ve succeeded in knocking wave after wave of problem amendments out of the sky. The question now is: Can they continue the victories?

During the Senate battle, McCain, in true fighter-pilot form, shot down a number of Republican time bombs meant to scuttle the bill. These included “paycheck protection,” requiring labor unions to seek permission from each member before using dues for political contributions. I am in favor of this, as it’s just plain wrong to force people to contribute to a political cause or candidate they may be in opposition to as a precondition for membership in a union and thus employment.

However, the Republicans weren’t being altruistic or idealistic when they proposed the rider. It was a calculated, cynical ploy. They knew that if it were attached, the Democrats would have no choice but to vote against the whole bill. It would be an automatic 0-6 record for John and Russ.

Instead, the Republican leadership crashed and burned.

Next came the “nonseverability

clause,” a bizarre piece of language that the Repubs and the Demos tried to insert. The clause would have rendered the entire bill DOA should the U.S. Supreme Court strike down any one provision. Usually the opposite (such that any unconstitutional portions are simply ejected from the bill) is placed in laws as a matter of course. You can guess why they went to the trouble to put a “nonseverability clause” in this law.

Nonseverability went down in flames like so many MiGs. And McCain-Feingold passed by a comfortable, but not too comfortable margin.

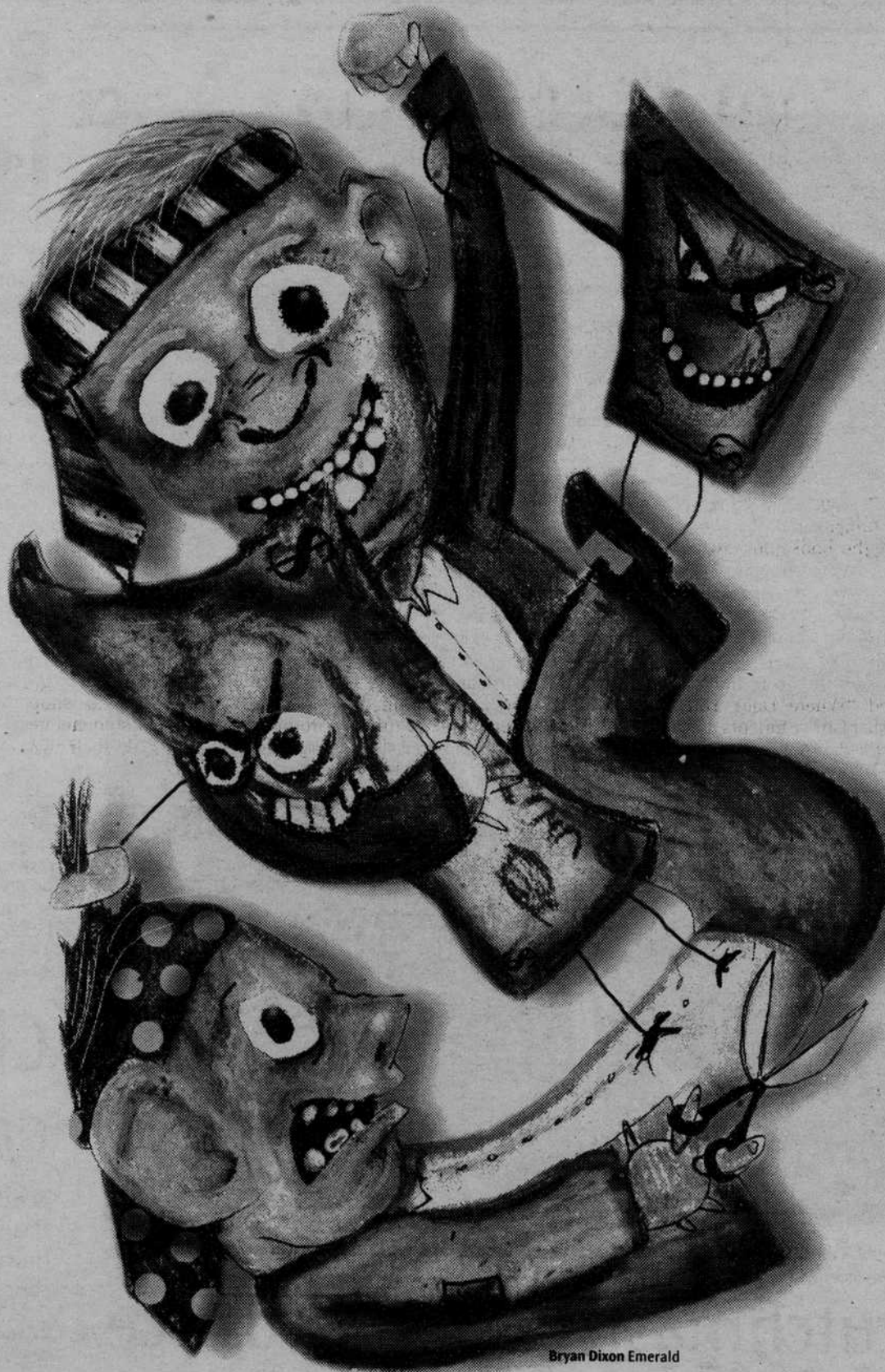
Bush will sign this, or sit on it and let it pass into law without a signature, rather than make a ruckus with a veto. Bush won’t risk a veto battle with McCain right now; he wants all attention on his tax cut. But we’re not there yet. McCain-Feingold still faces its biggest fight yet.

First and foremost is the Conference Committee, which is convened to smooth out the differences between House and Senate versions of the bill. Expect some more amateur theatrics here, as both Democrats and Republicans will likely try to sabotage the conference version before it faces final votes. Look for paycheck protection, nonseverability and the other monkey-wrenches to be wielded again as big donors, who have the ears of our antagonists, try one last-ditch push to make a bill nobody would willingly swallow.

Should McCain and Feingold be able to win on Capitol Hill, they still have to worry about the Supreme Court.

Buckley v. Vallo, from 1976, posited the ludicrous assertion that money is speech. The case revolved around the post-Watergate reforms, which placed a cap on hard money, as well as on expenditures from soft money and personal wealth. In Buckley, the court struck down the spending cap, stating that “a restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached.”

It’ll be interesting to see how the court reacts to McCain-Feingold, should the challenge already prepared by a bizarre coalition of special interests, from the ACLU to the NRA, materialize. It all depends on the court’s interpretation of “free speech.” Buckley allowed candi-



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dates to spend from their personal war chests. Now the debate is whether political parties must be allowed to buy attack ads on behalf of candidates. In my own opinion,

as far as the court’s concerned, anything’s possible.

So there’s only one question I can ask now that McCain and Feingold have won a major battle:

However, whether the war?

Pat Payne is a columnist for the Oregon Daily Emerald. His views do not necessarily represent those of the Emerald. He can be reached at Macross\_SD@hotmail.com.

### Letters to the editor

#### The Register-Guard should respect the union

I recently had the honor of helping launch a local effort to recognize local people who contribute to the struggle for human rights and social justice. This awards program was announced on the 33rd anniversary of Martin Luther King Jr.’s assassination.

The timing had special meaning for me because I am a member of AFSCME, the American Federation of State, County and

Municipal Employees. When King was shot in Memphis, Tenn., he was there supporting a strike by city sanitation workers who were members of my union. They were striking for respect, fair treatment and recognition of their union.

I also recently briefly canceled my subscription to The Register-Guard in support of the paper’s employees. These folks are not facing racial discrimination, but they are struggling mightily to get their employer to treat them and their union with respect, just like those Memphis sanitation workers were. The Register-Guard workers have been at it for two years now!

The Register-Guard has caused this fight by trying to reduce wages and remove many protections from the existing contract. The Register-Guard has spent tens of thousands of dollars on a Tennessee-based attorney to lead this fight. The Register-Guard has also broken the law several times in carrying out this fight, according to the National Labor Relations Board.

It’s time for The Register-Guard to truly act like a “citizen of its community” and reach a fair settlement with its workers. It’s the right thing to do.

Kurt Willcox  
Eugene

#### dailymerald.com gets a facelift!

That’s right, folks. The online edition of the Oregon Daily Emerald has received a makeover, and we’re not talking Jenny Jones-style. Log on to [www.dailymerald.com](http://www.dailymerald.com) for a site that’s now visually attractive, easier to use, and includes even more exclusive online material than ever before.

Don’t forget that dailymerald.com is just one more way for you to voice your opinion and let us know what issues matter to you. Features include online story feedback and weekly news and sports polls, and are just some of the ways you can share your thoughts instantly and see what others are thinking.