

## STUDENT TOWN HALL MEETING: SENATOR JOHN MCCAIN OF ARIZONA

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*The Town Hall meeting held by Republican Senator John McCain of Arizona in the University of Utah's Olpin Union Building on January 13 was the highlight of the conference. McCain's remarks clearly underscored the theme of the conference--that although much has been accomplished with the passing of BCRA, most of the struggle for reform is yet to come. In his speech to an open body of students, faculty, media, and dignitaries, McCain spoke on a number of issues such as the impending war with Iraq, the crisis in North Korea, the need for change in our environmental policies, his progress on seeking corporate reforms and the war on terrorism. Although each of these topics are important, this report will focus on his remarks regarding campaign finance reform.*

The Senator began his speech with a brief overview of the history of campaign finance reform. He noted that America seems to go through cycles of corruption and reform. It was scandal that gave Teddy Roosevelt the power he needed to ban corporate contributions in 1907. Watergate fueled the Federal Elections Campaign Acts of 1971, 1974, 1976, and 1979. Today, the soft money scandal and Enron have given Congress the courage to pass BCRA. Twenty years from now, he stated, there will be new legislation addressing problems we have not yet encountered. The knowledge that the system is and will again become corrupt should not discourage us from reforming the current system. Twenty years ago, soft money didn't exist. In 2000, over \$487 million in soft money was spent in the Presidential race alone. "Do you think that someone who contributes \$500,000 to a fundraising dinner is interested [solely] in good government?" he asked. Campaign finance reform, he argued, is good for equality in elections, and is therefore good for America. He concluded his remarks on this issue by giving an update of where the case challenging BCRA is in the courts and stated that it is only a matter of time before the Supreme Court will make the final decision on whether the new law will be upheld. However the case turns out, he admonished, the work has only just begun on this pressing issue.

After briefly touching on other issues such as those mentioned above, the Senator opened up the discussion for questions from the audience. One student asked if he supported the abolition of the Electoral College. The Senator conceded that the Electoral College is indeed a "lousy" way to elect a President, but maintained that he has never yet thought of, or heard of an acceptable plan for improvement. He discarded the notion of moving towards a straight popular vote in fear that the smaller states would lose what little voice they have. In essence, he stated that he is open to suggestions on how to change the current system, but until he hears a better proposal than the ones already advanced, he will not support any movement to abolish the College.

Next, the Senator was asked if all major candidates should be able to participate in the Presidential debates. He replied that reforming the debates is not the answer to bolstering third parties. A more effective way to help third parties and independent candidates would be to provide free airtime for candidates on TV and radio. He then inquired of the audience whether the airwaves, owned by the public and used by the major networks, should not be used for public purposes? The audience answered the Senator's inquiry with enthusiastic applause. The Senator subsequently announced that he and Senator Lieberman (D-CT) would soon propose a bill mandating that free airtime be given to every major candidate. This was met with even greater applause.

The next question addressed to the Senator addressed the apparent loophole in BCRA that allows soft money to still be used in state elections (non-federal). Impressed with the awareness of the questioner, a first-year student of the University of Utah College of Law, McCain conceded that such a loophole does exist and must be carefully monitored. Because Congress only has authority over federal elections, what happens in state elections is left up to the individual states. However, he did express hope in the fact that several states are re-working their election laws and regulations to align with the new national law.

In a question that alluded to the 60-90 day regulation of electioneering ads in BCRA, a student asked McCain whether it is the right of Americans to join interest groups. The Senator answered by stating that the question was based on one of the deepest and most troubling misconceptions of BCRA. Most people,

he said, seem to think that the law limits free speech. This, he argued, is simply not true. In no way does BCRA remove or ban involvement by an interest group. Rather, the law simply changes the way that that group must pay for its involvement.

To illustrate this point, McCain outlined the now famous example of the Wyly brothers and their actions during the Senator's bid for the Presidency in 2000. These two wealthy Texans, showed their support for George W. Bush by forming an interest group called Republicans for Clean Air (whose membership consisted solely of the two brothers). Through this organization, the Wyly brothers began running million dollar ads blasting McCain's record on environmental issues. McCain, who's funding was already limited, could not raise the money he needed in the regulated \$1,000 increments to properly respond to the ads. As a result, McCain began losing support and eventually found himself nudged out of the race. In light of this, he asked, "How is it fair for the government to allow the Wyly brothers to run million dollar ads against me and then tell me that I can only raise \$1,000 at a time to respond to those ads?" BCRA, he stated, does not ban the Wyly brothers, or any other group for that matter, from running ads 60-90 days before a primary and general election. It merely changes the way those ads are funded and paid for. Instead of being able to spend unlimited millions of dollars, BCRA requires interest groups to raise their advertising funds in increments equal to those required of candidates. If the candidates can only raise money \$1,000 or \$2,000 at time, then interest groups, PACS, etc. are limited to the same restrictions. McCain concluded his argument, and his remarks, by clearly declaring that money is not speech. For this reason, BCRA does not impose groups from running ads, regulating instead the way those ads are paid for. Again, his response was met with applause and support from the audience.