

MONEY

Former U. S. Sen. Ernest F. "Fritz" Hollings (D-SC)

JUNE 21, 2010 -- Reading Michael Hager in *The Washington Post* this morning (6/18/10), "Congress needs a mediation tool to dissolve gridlock," notes that we are going to extremes to solve simple problems. Hager recommends "A political neutral service for legislative mediation" like the Congressional Budget Office. I don't know where Hager got the idea that CBO settles anything. But the problem is money.

As Chairman of the Commerce, Space Science, Transportation Committee of the United States Senate, I had learned in World War II that if you look out for your men, they'll look out for you. I followed this rule until the Republicans had a fundraiser for my opponent in my race for re-election, and all the Republicans attended save Ted Stevens. Stevens already was my hero and his non-attendance confirmed it. But I became immediately "partisan" as concerned the other Republicans. They wanted to get rid of me, and this made me feel likewise.

Money has not only destroyed bi-partisanship but corrupted the Senate. Not the Senators, but the system. In 1966 when I came to the Senate, Mike Mansfield, the leader, had a roll call every Monday morning at 9:00 o'clock in order to be assured of a quorum to do business. And he kept us in until 5:00 o'clock Friday so that we got a week's work in. That meant you weren't chasing money on the weekends, but stayed around Washington, partying with Senators that differed with you during the week. Today, there's no real work on Mondays and Fridays, but we fly out to California early Friday morning for a luncheon fundraiser, a Friday

evening fundraiser, making individual money appointments on Saturday and a fundraising breakfast on Monday morning, flying back for perhaps a roll call Monday evening. This persists for six years.

In my last race in 1998 to be elected the seventh time to the United States Senate, I had to raise \$8.5 million. That factors out to \$30,000 a week, each week, every week, for six years. You don't start collecting money the year before your re-election date. Rather, you are in constant fundraise mode.

There's no way to raise \$8.5 million in little South Carolina, so I had to go to friends all over the country. That meant arranging trips during the week to travel the country on the weekend. And \$8.5 million also means that you have to depend on the Democratic or Republican Campaign Finance Committee. These Campaign Committees in the Senate guarantee partisanship. We have party lunches every Tuesday, which is to help the party members that are up for re-election the coming, or that year. All members are constantly raising money for the other members, traveling, making talks, so that you can get help from the Committee when your time comes around. I always admired Bob Kerrey, the Senator from Nebraska, who was a Medal of Honor winner. But when he helped me with a million dollars as Chairman of the Campaign Committee in my last race, I learned to love him. I hear he is taking Jack Valenti's place with the Motion Picture Association, and I wish him well.

But back to the money. Schedules have been changed for money. On Washington's Birthday, a junior member would take the floor and read Washington's farewell address, but the United States Senate was in session. Now, we've merged Lincoln's Birthday with Washington's Birthday for a ten-day break to fundraise. And on St. Patrick's Day in March, another break to fundraise. Easter in April – fundraise. Memorial Day break – fundraise. Fourth of July break – fundraise. Month of August off – fundraise. Labor Day – fundraise. Columbus Day break – fundraise. I've even had a fundraiser on Friday after Thanksgiving. And we cancel policy committee lunches on Thursday to go over to the Democratic headquarters to fundraise. Two little ladies keep you biting a sandwich or your tongue, calling on the phone: "We've got to take back the Senate." My tally showed that I raised \$611 thousand on these Thursday calls for Inez Tenenbaum, South Carolina's candidate for the Senate in 2004. Money is the reason filibusters work. Both Republicans and Democrats go along with filibuster threats. They never really bring out the cots and require all night speaking. One Republican holds the floor for his side and one Democrat for his side, and the rest of the Senators can go to New York or California to fundraise.

Nineteen ninety-eight was twelve years ago. It takes more money now. I told aspirants against Jim DeMint this year that they have to raise \$4 million to \$5 million before they get help from Washington. The Republicans will easily put \$15 million in the campaign to keep DeMint's seat. And what was an \$8.5 million race in 1998, has now become a \$12 million to \$15 million race.

Today, the campaign committees in Washington look for a candidate not with

ideas or experience, but with money. I think one in California has just spent \$80 million in the primary. I remember Russell Long instituting the dollar check-off on your income tax so as to finance "any mother's son to run for president." Now public finance has become passé. Obama's classmates went to Wall Street instead of law offices, and with the internet and his classmates, he raised more money than Chris Dodd, the Chairman of the Wall Street Committee. The need for money goes up and up, and the very corruption that we tried to prohibit in 1971 and 1974 has been corrupted by the Supreme Court.

In 1971 and 1974 the Congress limited spending in campaigns so that no one could buy the office. Maurice Stans' "cash and carry" campaign for Richard Nixon alarmed us. We legislated a limit for so-much per registered voter for the office in each state. I took the position that the Supreme Court corrupted the freedom of speech by overruling the '74 act. In a 5-4 decision, the Supreme Court held that Congress could limit contributors in campaigns but not the candidates. We intended to limit both, but our main concern was a candidate buying the office. To justify the decision, the Court equated spending in campaigns with free speech. I know Madison never intended his first amendment to the Constitution for freedom of speech to be measured by money. Even *The Wall Street Journal* agrees with me. Editorializing against an exemption for the National Rifle Association on a campaign finance measure, *The Wall Street Journal* writes: "But the First Amendment wasn't written to allow tiers of political speech, with some speaker more protected than others." Madison never intended the rich complete protection in politics with the poor limited.

Now in the *Citizens* case, allowing corporations freedom of speech, and the *Arizona* case adulterating public financing, the Court has guaranteed corruption. We'll have to go to my joint resolution to amend the Constitution permitting Congress to limit spending in federal campaigns. We politicians in Congress that ran for office – not pristine judges that had never run for public office – knew the corruption that needed to be eliminated.

I wanted to return to Madison's original intent. *Buckley* amended the first amendment, and my amendment would return the first amendment to Madison's original intent. I got a majority vote, but never the two-thirds necessary for a joint resolution. Public financing doesn't prevent the rich from buying the office, and only a limit on spending will stop the partisanship and put the Congress back to work for the country rather than the campaign.

The Congress has been playing games with the Supreme Court on campaign finance for thirty years. We can stop the gamesmanship and “play marbles for keeps” with the Constitutional amendment. The amendment is popular. The Governors' Conference called me immediately to limit spending in state elections. Contributors are tired of contributing, and office holders are tired of fundraising. When spending is limited in campaigning, those in Congress will have time for the country rather than the campaign. They can stay in Washington and spend time on the nation's business. Filibusters will be limited. Lobbyists will be limited. Corporations will be limited. Partisanship will be limited, and we'll be returning the first amendment to its original intent. This is what Congress intended in '71 and '74, signed into law by Richard Nixon, and Congress can do it again if it wants to take care of the country instead of the campaign.

Senator Hollings of South Carolina served 38 years in the United States Senate, and for many years was Chairman of the Commerce, Space, Science & Transportation Committee. He is the author of the recently published book, [Making Government Work](#) (University of South Carolina Press, 2008).

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