



UNITED STATES SENATE  
**REPUBLICAN  
POLICY COMMITTEE**

Larry E. Craig, Chairman  
Jade West, Staff Director

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**S. 25 Provides Neither Paycheck Protection Nor Beck Codification**

**McCain-Feingold's *Beck* Provision versus Paycheck Protection**

Contrary to the claims of its supporters, the so-called *Beck* codification provision contained in the modified version of the McCain-Feingold campaign finance bill (S. 25) bears little resemblance to language to codify the *Communications Workers of America vs. Beck* (1988) decision included in past campaign finance reform bills. In fact, the McCain-Feingold version of *Beck* contains none of the key provisions featured in the 1993 Dole campaign finance bill (S. 7) or in the Paycheck Protection Act (S. 9, Lott/Nickles amendment currently pending to S. 25) [\[see attached chart\]](#). Specifically, the McCain-Feingold *Beck* language:

- **Applies only to nonunion-member employees.** These are workers who choose not to join a union, but who under a collective bargaining agreement must pay dues (i.e., agency fees) to support the costs of union representation. S. 25 would cover only 10 percent of the roughly 18 million dues-paying employees nationwide. The Paycheck Protection Act (PPA) covers all 18 million.
- **Puts an unfair burden on employees.** S. 25 would force employees to file a written objection (each year) with their union in order to receive a reduction in their dues, proportionate to the union's political expenditures. By contrast, The Paycheck Protection Act requires unions to obtain each individual employee's written permission before using any portion of his or her dues for political activities.
- **Provides questionable enforcement.** Despite its extremely poor record of enforcing *Beck* rights, S. 25 calls upon the National Labor Relations Board, not the Federal Elections Commission, to decide the legal nuances of campaign finance disputes.
- **Codifies more loopholes than employee protections.** The McCain-Feingold definition of allowable political activities could give labor organizations ***greater legal protection*** to use compulsory dues and fees for lobbying and political activities than they currently enjoy. The bill's prohibition against "political activities unrelated to collective bargaining" does not provide a practical or enforceable standard given the sheer scope and variety of collective bargaining

issues. Moreover, S. 25 permits unions to continue using compulsory dues for lobbying on judicial and executive branch nominees, lobbying for and against ballot propositions, and for conducting issue advocacy campaigns.