

S. 3044, 93rd

Mr. GRIFFIN. I have been asked to inquire about Calendar 710, S 2893, a bill to amend the Public Health Service Act.

Mr. MANSFIELD. Pardon me. I forgot to mention that. It is anticipated we will bring it up on Tuesday, setting aside the pending business briefly.

Mr. GRIFFIN. I thank the Senator for that notice.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

Mr. CANNON. Mr. President, title I of the bill affords an equal and fair opportunity to candidates of major, minor, or other parties, to obtain a certain amount of public financing from the Treasury of the United States if they can demonstrate a reasonable amount of support from the electorate in any geographic area in which an election is held and in which they intend to run for nomination for election or for election to Federal office. Any candidate who has a bona fide following who will make contributions to him or his authorized political committees sufficient to meet the base amounts set by the title, is entitled to receive matching payments from the government. Further, those contributions, under the bill, are eligible for matching payments only up to certain limits.

Any candidate who participates in, or who qualifies under State law to participate in, a Presidential preference primary and who desires to receive public financing from the Federal Government, must raise a threshold or "earnest money" fund before becoming eligible for the receipt of any public assistance.

The threshold amount is \$250,000. While contributions may be received up to \$3,000—which is the limit allowed by S. 372 on contributions by individuals or others—only the first \$250 of any such contribution would be counted toward the base or threshold fund required.

The threshold fund would be required to be raised by a Presidential candidate only once—the first primary entered.

While the use of loans in the campaign process is accepted, in accordance with the provisions of existing law, including disclosure of any loans made to or on behalf of any candidate, the committee believes that no loan should be counted in determining whether a candidate has raised his threshold amount.

To demonstrate a genuine appeal to the electorate, the candidate must raise his threshold from committed gifts, instead of mere loans which would be repaid from public funds after the threshold is raised. If the threshold could be raised from loans, in whole or in part, the spirit of the law would be violated.

Loans have their place and may be used for any other purpose during the entire period of election campaigning except for the raising of the "seed money" or threshold fund required to be raised by each candidate who desires to receive matching Federal funds in primary elections for Federal office.

Once having met the required threshold, the candidate would be eligible to receive an equal or matching amount from the Treasury. And, thereafter, each dollar contribution up to \$250 would

qualify the candidate to receive equal matching funds from the Government until he reaches the limit set for the amount he may spend in any primary election. That limit, as provided by the bill S. 372, and incorporated in this bill, is 10 cents multiplied by the voting age population of the geographic area in which an election is to be held, except, that in the case of Presidential primary elections, the limit is doubled for any given State. That is, the Presidential preference primary candidate may spend for any primary election in a particular State twice the amount that a candidate running for nomination to the Senate in that State may spend.

The reason for allowing Presidential preference primary candidates to exceed the limit set for any particular State, in contrast to the limit set for candidates for the Senate nomination or Representative at large nomination, is to give an unknown individual the opportunity to compete with one who enjoys a national identity or who is well known in a particular area of the Nation.

However, the bill S. 372 set an aggregate or overall limit on the amount which could be spent for the entire nominating process by a candidate seeking nomination to the office of President of the United States, and that overall limit is retained for that purpose in this bill; that is, 10 cents times the voting age population of the United States for the entire nomination period.

In calculating and auditing expenditures made from contributions received from private donors, every contribution up to and including \$3,000 would be counted for the purpose of determining the total spending limitation. But, for the purpose of determining eligibility to receive public financing, only those private contributions up to \$250 would be counted.

Any candidate who qualifies, under the law of the State in which he seeks nomination, to seek nomination for election to the office of U.S. Senator, Delegate, Resident Commissioner, or Representative from a State having only one Representative, must also raise a threshold or earnest-money base fund in order to be eligible to receive Federal matching funds.

Such a candidate would be required to raise an amount equal to the lesser of 20 percent of the maximum amount he may spend in his primary election, or \$125,000. S. 372 set the limitation upon the amount which a candidate for nomination for election to the Senate may spend. It is the amount to be obtained by multiplying 10 cents times the voting age population for the geographic area—the State—but not less than \$125,000. The \$125,000 base was established as a reasonable minimum for expenditures by candidates of those States having small populations.

Therefore, the 20 percent threshold amount would begin with the \$125,000 base and rise to the maximum, but for those States having very large populations; that is, California, New York, et cetera, the maximum threshold figure would be \$125,000. So, a candidate for nomination to the Senate would be re-

quired to raise an amount not less than 20 percent of the base—\$125,000—or \$25,000, but not more than the maximum for eligibility, or \$125,000.

For the Senate, as for the House of Representatives, only those individual contributions not in excess of \$100 would qualify for public matching funds.

Once having met the threshold, all additional dollar contributions not in excess of \$100 would qualify for matching Federal payments up to the limitation which a candidate for nomination to the Senate may spend in any States.

A candidate for nomination for election to the House of Representatives must raise a threshold amount of \$10,000. The threshold is the same for all candidates seeking nomination for election to the House, except for those running in the States having only one Representative, or in the District of Columbia. The \$100 limit on contributions eligible for matching payments applies as it does for the Senate.

Where separate runoff elections must be held to determine nominees for the Senate or the House of Representatives, the same provisions shall apply.

All candidates seeking nomination for election to the offices of President, Senator, or Representative, have the option of soliciting all private contributions up to the limitation on spending if they so choose, or seeking both private and public matching funds. Total public financing of primary elections is not provided.

Candidates participating in general election campaigns are treated differently, depending upon whether they are the nominees of major or of minor parties having no previous voting records.

A major party is defined as one whose candidates for President and Vice President in the preceding election received at least 25 percent of the total number of popular votes cast in the United States for all candidates for such offices.

A candidate nominated by a major party would be eligible to receive full public funding in his campaign for election up to the limit set by the bill S. 372—15 cents times the voting age population of the geographic area in which the election is to be held—as carried over into this public financing bill.

A minor party is defined to mean any political party whose candidates for President and Vice President in the preceding election received at least 5 percent but less than 25 percent of the total number of popular votes cast in the United States for all candidates for such offices.

A candidate nominated by a minor party would be eligible for public funding up to an amount which is in the same ratio as the average number of popular votes cast for all the candidates of the major party bears to the total number of popular votes cast for the candidate of the minor party.

Where only one political party qualifies as a major party, then that party whose candidate for election to a particular office at the preceding general election received the next greatest number of votes—but not less than 15 percent of the total number of votes cast—shall be treated as a major party and entitled to receive full public funding as

such for the current election. There are States in which one political party or the candidates of a political party is so popular or dominant as to render, in fact, all other parties minor parties, whether Democratic or Republican. Therefore, this provision will help to insure the equal entitlement of the Democratic and Republican parties, except in very rare instances where one of those parties would rank third.

The bill also takes into consideration the candidate who ran at the preceding election as a Democrat or Republican and received more than 25 percent of the votes cast and who then runs at the following election as an independent. When such a candidate switches from one party to another he does not carry with him the "track record"; that is, votes cast at the last general election, when he runs under another party label. He would be entitled to payments as an independent only if he receives at least 5 percent of the votes at the current election and his payments would be in reimbursements after the election, not before.

If that candidate runs again as an independent at the succeeding general election, and if he received more than 25 percent of the vote as an independent at the preceding general election, then he would be eligible for full public funding.

If a candidate of a minor party whose candidate for election to a given Federal office at the preceding general election received at least 5 percent of the votes cast, then he will be entitled to office, he will be entitled to receive public funds on a pro rata basis, and if at the current election that candidate receives more than 5 percent of the total votes cast, then he will be entitled to receive additional payments, as reimbursements to reflect the additional voter support.

In the general election, candidates may choose to receive all private contributions and no public funding, a blend of private and public funding within the limitations on expenditures for general elections as set forth in the bill, or, in the case of major party candidates, exclusively public funding.

Postelection payments are available to candidates in two situations.

First, if a minor party candidate or an independent candidate who is entitled to payments before the election in an amount which is less than the amount payable to the candidate of a major party before the election receives a greater percentage of the votes than the candidate of his party received in the last election—when compared to the average percentage received by a major party candidate in that election—he is entitled to receive an additional amount after the election. For example, if the average percentage of the votes received by a major party candidate in the preceding election was 30 percent and the minor party candidate received 15 percent of the votes in that election, the candidate of the minor party in the current election is entitled to a pre-election payment of half the amount to which a major party candidate is entitled. If the minor party can-

didate in the current election receives 40 percent of the vote and the average percentage received by the major party candidates is still 30 percent, the minor party candidate is entitled to a postelection payment equal to the amount of the preelection payment to which the major party candidates were each entitled, reduced by the amount of any payments he received before the election and the amount of any contributions he received for use in his campaign. If his preelection payment and his contributions, added together, equal the spending limitation for that race the amount of his postelection payment is zero. If the sum of his pre-election payment and the contributions equals 90 percent of the spending limitation, his postelection payment is 10 percent of the spending limitation.

Second, a candidate who is not the nominee of a major or minor party and who did not receive more than 5 percent of the votes in the most recent general election for the same office, is not entitled to receive any preelection payments. If he takes the same steps before the election to become eligible for payments that other candidates must take in order to receive preelection payments, then, if he receives 5 percent or more of the votes in the current election he is entitled to a payment after the election which bears the same ratio to the maximum payment—equal to the spending limitation—as the number of votes he receives bears to the average number of votes a major party candidate receives. The postelection payment is reduced by the amount of contributions he receives for use in his campaign.

The rules under which the postelection payment may be used are basically these:

First. The candidate cannot incur campaign expenditures in excess of the amount of his limitation under proposed section 504. The limitation there is the same as the limitation that would apply if he were receiving preelection public financing of his campaign.

Second. The postelection payment may be used only to pay outstanding campaign debts.

Third. The candidate is regarded as having no outstanding campaign debts until he has spent all the amounts he received as contributions.

Fourth. Any part of the postelection payment which is left after paying his campaign debts must be returned to the Treasury for deposit back into the fund.

Appropriations may be made by the Congress based on the amounts taxpayers have designated for the fund under the checkoff system. Authority is provided for the appropriation of additional amounts if necessary.

The Internal Revenue Code of 1954 is amended to provide for the automatic designation of \$2 of income tax liability of every individual whose income tax liability is \$2 or more for the taxable year to the Federal election campaign fund, unless the individual elects not to make such a designation. In the case of a joint return of a husband and wife having an income tax liability of \$4 or more, each spouse is considered to have designated that \$2 shall be paid over to the fund

unless he elects not to make such a designation.

If the taxpayer designations of \$2 per individual of tax liability result in a sufficient total fund to meet the requirements of all candidates entitled to receive public financing, then the Congress may appropriate that amount for distribution by the Secretary of the Treasury. If the amounts of designated tax payments to the fund do not result in a sufficient total amount to fulfill the entitlements of all qualified candidates, then the Congress may appropriate such additional sums as may be necessary to make up any deficit.

In the event that insufficient funds are available to meet the entitlements of candidates, and the Congress had not acted to appropriate amounts necessary to meet the entitlements of candidates, then such candidates may receive private contributions.

Any private contribution received would be limited to the ceilings established by the bill upon contributions from individuals or political committees and subject further to the amount of public financing, if any, that the candidate is entitled or elects to receive.

The Internal Revenue Code would be amended so as to allow an individual who has made a political contribution to a candidate or political committee or political party during a calendar year to claim in his tax return for that year a tax credit or a tax deduction.

The tax credit is limited to one half of the amount of the contribution made and to \$25 per individual, or \$50 on a joint return.

The tax deduction is limited to \$100 per individual.

Thus these tax incentives would double the provisions set forth in the existing law as they were enacted in the Revenue Act of 1971.

Emphasis in this bill is placed upon candidates. But, to preserve the place of political parties in the elective process the bill provides that the national committee of a political party may spend for political purposes an amount not in excess of the amount to be obtained by multiplying 2 cents by the voting population of the United States.

A State committee of a political party may spend an amount to be obtained by multiplying 2 cents by the voting age population of the State in which it functions.

Title II of the bill contains in part the text of S. 372—the Federal Election Campaign Act of 1973—which was passed by the Senate on July 30, 1973.

The committee amendments to S. 372 do not affect any of the substantive provisions relating to limitations upon contributions or limitations upon expenditures in primary or general elections. The amendments, instead, are intended to remove from the text only those matters which were considered nonessential or which duplicated other provisions of the bill, or which were changed by subsequent action of the Congress. For example, the section prohibiting mass mailing of newsletters, and so forth, within 60 days prior to the date of any election, was made unnecessary by the

enactment of Public Law 93-191, December 18, 1973, regulating the use of the frank.

Title II, in general contains provisions—relating to political broadcasting, and revising title III of the Federal Election Campaign Act of 1971—relating to reporting and disclosure.

The bill includes also the provisions of S. 372 which repeal the Campaign Communications Act, imposing limitations on amounts spent by candidates for Federal office for the use of broadcast and printed media in their campaigns. It also amends the Communications Act of 1934—

First, to remove Federal candidates from the equal time requirements of section 315 of that act;

Second, to require broadcasters to demand a certification by any Federal candidate, before charging him for broadcast time, indicating that the payment of charges for that time will not exceed his expenditure limit under title 18, United States Code, and to apply this provision to State and local candidates wherever similar limits are imposed on them by State law; and

Third, to require broadcasters to make certain announcements and keep certain records in connection with political broadcasts.

Title II of the bill is concerned with a general revision of title III of the Federal Election Campaign Act of 1971—relating to the disclosure of Federal campaign funds.

The bill establishes an independent Federal Election Commission within the executive branch to enforce the reporting and disclosure requirements of the 1971 act and to enforce certain provisions of chapter 29 of title 18, United States Code—relating to crimes related to political activity. The Commission is given broad powers of enforcement, including the power to make presentations to Federal grand juries and to prosecute criminal cases.

In addition to a number of changes in the details of the reporting and disclosure requirements of the 1971 Act, title

First, requires a candidate for Federal office to designate a central campaign committee to serve as his central reporting and disclosure agent, and to designate campaign depositories into which all contributions and any public financing payments must be deposited and out of which all campaign expenditures—other than petty cash—must be made;

Second, increases penalties for violations of reporting and disclosure requirements to a maximum of \$100,000 and 5 years' imprisonment for a knowing violation;

Third, requires that no expenditure in excess of \$1,000 can be made in connection with a Presidential campaign unless that expenditure has been approved by the Chairman of the national committee of the political party or his delegate; and

Fourth, provides that excess campaign contributions may be used by a person elected to Federal office to defray expenses incurred in connection with that office or as a contribution to a charity.

Title III of the bill covers crimes relating to elections and political activities. It carries over the limitations on contributions by individuals and by political committees set by S. 372.

No individual may give to any candidate personally, or to any agents or committees authorized to function on behalf of the candidate more than \$3,000 for each election in which the candidate participates.

No individual may give to all candidates and all political committees during any calendar year a total aggregate in excess of \$25,000.

No political committee may contribute to any candidate or to his authorized agent or committee more than \$3,000 for each election in which the candidate participates, but political committees are not bound by the \$25,000 overall limit imposed upon individuals.

This title also requires that contributions and expenditures in excess of \$100 be in the form of a written instrument.

Title IV of the bill requires annual reports by all candidates for Federal elective office, and all elected Federal officers, and other officers and employees of the Federal Government who are compensated at the rate of \$25,000; or more, per annum. Reports would include all sources of income, gifts in excess of \$100, the identity of assets valued at \$1,000 or over, transactions in securities and commodities, and the purchase and sale of real property except the personal residence of the filer.

Mr. President, in this opening statement I have emphasized those provisions which are of utmost importance and which are the most current of the amendments to the Federal Election Campaign Act of 1971 as amended. Those latest features are related to the public financing procedures of the bill; that is, the manner in which a candidate becomes qualified for the receipt of matching Federal payments in a primary election, and the eligibility requirements for the receipt of public funds in a general election.

It is reasonable to assume that the Members of the Senate are familiar with the provisions of the existing law enacted on April 7, 1972, as amended by the bill S. 372 which passed the Senate on July 31, 1973, but which has not yet been acted upon by the House of Representatives.

Mr. President, I hope that the Senate will move with reasonable dispatch to consider the important provisions of this bill and to demonstrate to the Nation that this body is making every effort to enact a Federal election reform measure which will serve to restore public confidence in the elective process.

Mr. President, as a final comment I would refer again to my statement on March 20, 1974, when I compared the provisions of this bill, S. 3044, with the recommendations included in the President's March 8 message on election reform.

My statement appears on page S. 3968 of Wednesday's Record and I ask that the statement be reprinted at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR HOWARD W. CANNON IN RESPONSE TO THE PRESIDENTIAL MESSAGE OF MARCH 8, 1974, ON ELECTION REFORM

Mr. CANNON. Mr. President, on March 8, 1974, the President sent to the Congress a message on campaign reform. The message contained a number of recommendations, nearly all of which have already been enacted into law or have been passed by the Senate and are awaiting further action by the House.

In order to study and compare the White House proposals side by side with existing law and Senate-passed bills and pending bills, I have been awaiting the arrival of legislative proposals from the executive branch, but to date nothing has been submitted.

It is unfortunate, because the omnibus Senate bill, S. 3044, has been on the calendar since February 21—a month ago—and will soon be debated here in the Senate Chamber.

On Friday, March 15, 1974, the distinguished and very articulate senior Senator from Rhode Island, JOHN O. PASTORE, delivered a nationwide radio address—a congressional response to the President's message. Senator PASTORE's comments were printed in the CONGRESSIONAL RECORD of March 19, 1974, at pages S3773 and S3774, and I urge all of my colleagues to read them.

What Senator PASTORE said, in part, is that the Senate has been moving consistently toward the adoption of better and stronger election laws. The Federal Election Campaign Act of 1971 became law on April 7, 1972. That act requires timely, detailed disclosure of all receipts and expenditures by all candidates for Federal office and by all political committees raising or spending more than \$1,000 in a calendar year.

The act covers all Federal elections—primary, runoff primary, special and general, and applies to caucuses and conventions.

In his message, the President stressed the need for such added reforms as:

First. A single authorized political committee for each candidate;

Second. Complete disclosure of identities of donors and recipients of campaign contributions;

Third. Limitations on contributions by a single contributor to Presidential and congressional candidates;

Fourth. Prohibitions against the use of cash, loans, and other gifts; and

Fifth. Creation of an independent Federal Election Commission.

Mr. President, I do not know where the advisers to the President have been in the past year or so, or what public information has been available to the President, but I thought it was perfectly clear that the Senate passed a bill, S. 372, last July 30, 1973, by a vote of 82 to 8, which incorporated the following provisions and more:

First. Limitations on contributions by individuals and political committees—not more than \$3,000 to any candidate or political committee;

Second. Limitations on expenditures in primary and general elections—10 cents times voting age population in primaries and 15 cents for general elections;

Third. Prohibitions against the use of cash excess of \$100 for contributions or expenditures;

Fourth. Requirement for a single central campaign committee for each candidate for election to Senate and House and not more than one such committee in each State for Presidential candidates;

Fifth. A campaign depository for each candidate where all deposits and withdrawals shall be recorded; and

Sixth. An independent Federal Election Commission to oversee the law and with

primary civil and criminal and prosecutorial power.

It is obvious that Senate action is months ahead of Presidential recommendations and should be given public credit.

This year, the bill I reported to the Senate on February 21, 1974, S. 3044, again incorporates the provisions of existing law and of the bill, S. 372. Further, S. 3044 recommends public financing of all Federal elections in order to allow any candidate to run for office without relying upon wealthy contributors or special interests.

The Senate, in both S. 372 and S. 3044, would repeal the equal time provisions of section 315 of the Communications Act of 1934; provide for modest tax credits or deductions for political contributions; and use the existing law dollar checkoff as a basic for financing Federal campaigns.

Except for a few suggestions to curb "dirty tricks" or to change the term of office for Federal elective offices—which would be a constitutional amendment—there is no significant point in the Presidential message which has not been considered and rejected by the Senate or incorporated into the existing law or the Senate-passed bill, S. 372.

In short, Mr. President, while the Congress and, to a greater degree, the Senate, has been fulfilling the need to provide meaningful needed election reform the executive again has demonstrated a practice of arriving with too little, too late.

#### INTERPARLIAMENTARY UNION MEETING IN BUCHAREST, RU- MANIA—APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. HELMS). The Chair, on behalf of the Vice President, in accordance with Public Law 85-474, appoints the following Senators to attend the Interparliamentary Union Meeting, to be held in Bucharest, Rumania, April 15-20, 1974; the Senator from Alabama (Mr. SPARKMAN), the Senator from New Mexico (Mr. MONROYA), the Senator from Pennsylvania (Mr. HUGH SCOTT), the Senator from Nebraska (Mr. CURTIS), the Senator from Vermont (Mr. STAFFORD), the Senator from Delaware (Mr. ROTH), and the Senator from Virginia (Mr. WILLIAM L. SCOTT).

Mr. ERVIN. Mr. President, I wish to express my deep gratitude to the distinguished Senator from Maine (Mr. MUSKIE) and the distinguished Senator from Illinois (Mr. PERCY) for the magnificent assistance they have given in comanaging the bill.

I wish to express my gratitude to all members of the staff and particularly to Robert Bland Smith, Jr. and Bill Goodwin of the staff of the Committee on Government Operations for the assistance they have given me on the floor, and I wish to acknowledge my great obligation to Robert A. Wallace, consultant to the committee, and to Herbert Jasper for the assistance they have given me. I think as a result of the labors of these gentlemen and the two committees involved and the staffs of both committees, the Senate has adopted a bill which makes a long stride toward the effort to set up machinery by which Congress can do its part to put the Federal financial house in order.

Mr. PERCY. Mr. President, my comments will be very brief. I know that all of us are very encouraged by the 80 to

0 vote on the budget reform bill. All of us would recognize that it is not a perfect piece of legislation, but it is a good piece of legislation as could be put together now, and it will have to evolve to meet the situation in the future.

Congress is all too commonly accused of inaction coupled with ineptness. We are accused of inordinate delay, verging on irresponsibility. I think my colleagues will appreciate the significance of the fact that we began this great effort of reform only 17 months ago, in October 1972, when the Senate adopted the Debt Ceiling Act of 1972 and thereby created the Joint Study Committee on Budget Control. We have acted with all the speed adequate deliberations would allow. And, I believe we have produced an extremely significant reform that over time will prove to be of revolutionary importance.

Senator ERVIN, our distinguished chairman, has observed that this bill is one of the finest examples of the legislative process in his experience. I wholly concur. In it we have accommodated the diverse views of all committees and Senators. Yet we have retained a strong reform bill. We have chosen responsibility, not irresponsibility. We have chosen a new course of concern for the people's money, rather than continued unconcern. We have chosen to regain control of our own processes, rather than to let our control continue to erode. We have chosen to strengthen our institutions, rather than to continue to let them weaken.

For me, passage of this bill today represents the culmination of 17 months of work toward reform. On October 13, 1972, I introduced an amendment to H.R. 16810, the 1972 debt ceiling bill, to provide for a Committee on the Budget and the setting of an annual spending ceiling that would govern all spending. Later, in February, 1973, I introduced a bill, along with my distinguished colleagues Senator HARRY BYRD and Senator ALAN CRANSTON, to provide for a new congressional budget process. In our Committee on Government Operations we created a new Subcommittee on Budgeting, Management and Expenditures. One of its major purposes was to develop legislation to implement the work of the Joint Study Committee on Budget Control by producing workable budget reform legislation. On April 11, 1973, I introduced with Senator ERVIN the bill we have just passed, S. 1541. I feel a deep sense of personal fulfillment and satisfaction that the product we have wrought has been so overwhelmingly adopted.

I wish particularly to commend the distinguished Senator from North Carolina for his leadership of our committee during a year in which his time has been full of so many other important duties on behalf of the Senate and the Nation. Next I think we should all acknowledge our debt to Senator METCALF for his determined and impartial chairmanship of the Subcommittee on Budgeting, Management and Expenditures. The senior Senator from Maine (Mr. MUSKIE) has brought to bear his deep knowledge of congressional processes in order to fashion a more workable bill. Senator JAVITS is responsible for the bill's

new emphasis on social goals and on public information about revenue losses due to special tax provisions. Senator ROTH and Senator NUNN have made a substantial contribution through their determination to enact a really meaningful reform. Senator BROCK has been one of the earliest advocates of reform and has contributed in many important ways to the advancement of the bill.

Finally, I wish again to call attention to the very distinguished Senator from West Virginia, the assistant majority leader (Mr. ROBERT C. BYRD) for his invaluable efforts directed at all times toward achieving a better bill.

Mr. WILLIAM L. SCOTT. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. WILLIAM L. SCOTT. I appreciate the Senator's yielding, and I would certainly add my commendation to him and the floor leader, the Senator from North Carolina (Mr. ERVIN), for the work they have put into this bill, as well as their committee. I certainly hope it proves to be an effective measure that the Senate has unanimously adopted. I have reservations as to whether it will prove to be the cure—all that we hope will be accomplished. I doubt that we are going to find that the Senate is going to live by the dates that have been set. I hope it will. I heard the distinguished Senator from Arkansas (Mr. McCLELLAN) make his comments some hours ago on this point, and I share his views and comments.

Frankly, I introduced a bill that would transfer the whole Office of Management and Budget from the executive branch to the legislative branch. In the event this bill does not pass, I hope serious consideration will be given to stronger measures, either the bill I introduced, cosponsored by the minority leader (Mr. HUGH SCOTT), or the measure which the Senator from Nebraska (Mr. CURTIS) has introduced.

The thrust of my remarks is that I hope this works. I have doubt that it will.

I appreciate the Senator's yielding.

Mr. PERCY. Mr. President, the concern expressed by the Senator from Virginia is well-founded. I know that the Senator from Maine (Mr. MUSKIE) and I worked hard on this bill for many, many months, and we had some sharp differences of opinion on approaches. While we had our differences on approaches, we never veered from the goal. I am glad to say that, after listening to the arguments of the distinguished Senator from Maine, I sometimes admitted that the opinions I had previously held and had been clinging to, receded.

But we are all concerned over the fact that in the last 5 years we have added \$88 billion to the public debt, and if we include the off-budget items such as Ex-Im Bank and other Government-sponsored agencies such as the Federal National Mortgage Association, the total deficit in the budget in the past 5 years is \$109 billion, all in a period of high economic activity. I trust that, now that we have this legislation, when we bring it out of conference in final form and send it to the President for signature we will really look at the question in the