

It represents a position that is supported not only by the League of Cities and the Conference of Mayors but by the Governors Conference, as well as the AF-CIO.

Before concluding, I would like to add a brief commentary on the measure we are proposing in the context of the Supplemental Bill and the Administration requests.

As much as in any overall budgetary evaluation, the Supplemental Appropriations Bill represents a decision on priorities. It involves a determination based on the competing demands for federal dollars.

In that determination, I believe that our request can be funded without in any way breaking the budget.

Let me note that the Administration has put forward a \$6.2 billion supplemental budget request for the Department of Defense alone. Their request includes permission to spend \$474 million more in military aid for South Vietnam.

When I look at the lines stretching through the employment offices throughout my states, where 220,000 persons are unemployed where the unemployment rate is now at 7.7 percent, even under the new Labor Department rules, then I think our request is even conservative. We are requesting only \$350 million. The Administration is requesting \$474 million for guns for Saigon.

I cannot help but believe that the national interest would be better served if the \$350 million we requested were subtracted from the \$474 million in the military aid request for South Vietnam. I might add that I doubt the necessity or desirability of approving even the remainder.

We believe the additional funds which would be added under our proposal for this fiscal year can be found within the existing budgetary spending levels. Expenditures for public service employment will result in savings in welfare payments and unemployment insurance and increase tax revenues of 40 cents for every dollar spent. In addition, based upon Bureau of Labor Statistics data, it has been estimated that for every 10 public service jobs created, four private sector jobs will be created immediately and that eventually, over the next 18 to 24 months, another six will be generated from the Gross National Product increase resulting from those 14 jobs. In terms of job creation and economic stimulus, it is a bigger bang for the buck than virtually any other program.

The second concluding point I would urge on my colleagues represents my own view of the direction this nation must move if it is to fulfill a wide range of aspirations weakened in part by our own rhetoric and by the rhetoric of those who have gone before us.

In America today, the 4.7 million unemployed and the more than 25 million poor are being denied the promise of justice. When FDR called forth a vision of this country in which there would be full freedom, his vision included freedom from the chains of economic despotism. He looked out upon a nation in which a third of the people were ill-housed, ill-fed and ill-cared for. And he laid out the challenge to end those conditions.

The goals he set forth still appear in the distance, still all too real for millions of Americans. There must be a major expansion in public services, an expansion in which the federal government plays a continuing role, if we are to achieve those goals.

Enlarging the public services made available to the citizens of this country—in combating a host of public ills, from inadequate housing to inadequate medical care—represents the direction we should be marking out for the future. That direction can be tied through public service employment to helping set a course toward full employment, where those able to work and wanting to work have decent, well-paying

and important job opportunities available to them.

The measure we are suggesting today will not miraculously carry us to that goal, or to achieving the liberation Franklin Roosevelt desired; but it will be a step closer to those objectives.

I hope that the Committee will accept our suggested amendment.

WASHINGTON, D.C., March 26, 1974.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.:

The AFL-CIO strongly supports the emergency public service employment amendment sponsored by a bi-partisan group of Senators. The \$350 million provided by this amendment is vitally necessary during the current fiscal year. The growing unemployment crisis makes adoption of this amendment a necessity.

ANDREW J. BIEMILLER,
Director, Department of Legislation,
AFL-CIO.

NATIONAL LEAGUE OF CITIES,
U.S. CONFERENCE OF MAYORS,
March 28, 1974.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: We strongly support your efforts, and those of your colleagues, to increase the supplemental appropriations for public service jobs. As Mayor Uhlman of Seattle, Washington, said in testimony before the Senate Appropriations Subcommittee on Labor and Health, Education and Welfare, "There is little question that the energy crisis is . . . resulting in massive unemployment throughout the country." As the Mayor indicated in that testimony, in Seattle alone some 50,000 persons are unemployed, and this does not even take into account the impact of the energy crisis. St. Louis has reported energy-related unemployment of almost 7,000 persons in the last few months. Flint, Michigan, reports a 14 percent unemployment rate in February, or some 22,000 persons. Los Angeles projects energy-related unemployment will reach 25,000 by this summer.

The Administration's supplemental appropriation request for public service employment is an inadequate response to such increases in unemployment. The jobs, approximately 35,000, created will not even replace the employment opportunities being abolished under the phase out of the Public Employment Program (PEP).

Local and state government demonstrate, in the conduct of PEP, the ability to place over 150,000 unemployed in productive public service jobs—jobs which not only provided needed unemployment but also met critical public service needs of our communities. Every evaluation and study of PEP has documented the constructive results of the program.

In our support of your efforts, we would, however, urge you to consider the fact that an increase in FY 1974 supplemental appropriation in the manner proposed will not be possible in FY 1975. The problem of unemployment will, however, remain. Consequently, we believe the consideration must be given, on a priority basis, to legislation for FY 1975 and the future which would authorize funds to create public service jobs. Such legislation should be independent of Title II of CETA since that Act and Title were not designed to meet unemployment problems such as those created by the energy crisis.

Sincerely,

ALLEN E. PRITCHARD, JR.,
Executive Vice President,
National League of Cities.
JOHN J. GUNTHER,
Executive Director,
U.S. Conference of Mayors.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. HUDDLESTON). Morning business is now closed.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the unfinished business, S. 3044, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (S. 3044) to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment (No. 1141, as modified) of the Senator from Alabama (Mr. ALLEN), on which there will be 1 hour of debate.

Mr. ALLEN. Mr. President, I ask unanimous consent to yield 10 minutes to the distinguished senior Senator from Delaware (Mr. ROTH) with the time to be charged equally between the two sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ROTH. Mr. President, I thank the Senator from Alabama for his courtesy.

Mr. President, I had intended to call up an amendment, but have determined not to do so. However, I do wish to discuss the reasons why I do not intend to call up further amendments from my campaign reform package.

Mr. President, the amendment I had intended to call up is an important element of my package of campaign reform proposals. The amendment would require the Federal Communications Commission to develop regulations requiring each television station to make available, without charge, a limited amount of television time to candidates for Federal office. My amendment would permit each candidate to gain exposure through the television medium and it will prohibit most candidates from purchasing any other television time in addition to that provided by the stations without charge.

Although I believe that the adoption of my amendment is crucial to the passage of true campaign reform legislation, I will refrain from calling it up and asking for a vote because, apparently, the Senate will not have the opportunity to seriously consider any campaign reform proposals which are alternatives to "public financing."

This fact is evident because of the results of two Senate votes conducted last week on amendments to the Federal Election Campaign Act. On one vote, my amendment to allow all congressional candidates to send—without postage—two mass mailings to each of their constituents was tabled without a vote being taken on its merits. On the second vote, the Senate defeated the Baker amendment—No. 1134—after objections were made that, as a tax-related amend-

ment, it should not be considered by the Senate, for it would be subject to a point of order in the House of Representatives.

This latter vote—in which the Senate defeated Senator BAKER's amendment to substitute the public financing provisions of the pending bill with a plan to finance future campaigns with a 100-percent tax credit for a contribution up to \$50 on a single, or \$100 on a joint return—has indicated that supporters of campaign reform who favor the tax credit approach to campaign financing are placed on the horns of a dilemma. Since many constitutional authorities are convinced that any tax-related measure must originate in the House, those of us who support the tax credit approach are barred from presenting the Senate with a viable alternative to public financing until the House has considered this proposal or it can be attached by the Committee on Finance to an appropriate revenue bill from the House.

For this reason, I would prefer that a final vote on the pending bill be deferred until the parliamentary situation is such that the alternative approach can be considered, unless the tax credit approach can receive a serious debate, it will be evident that the Senate is faced with but one alternative. The public financing concept will have been steamrolled through the Senate.

It seems to me, Mr. President, that such a delay would allow the Senate to consider the pros and cons of both approaches to reform in campaign financing. Since the radical changes envisioned by the supporters of public financing bill will not take effect until the 1976 general election, I see no reason why a vote must be taken on this bill before alternative avenues of approach to campaign reform have been fully explored. The Senate has already passed several bills to reduce the influence of big money in political campaigns.

One bill would shorten the campaign period to approximately 8 weeks, thus reducing campaign costs. Another proposal, S. 372, places limits on campaign contributions and expenditures, establishes a Federal Election Commission, and strengthens the disclosure requirements for all candidates and their campaign committees.

I have supported each of these measures and I have urged the Senate to strengthen their provisions by adopting my "package" of reform proposals. Rather than go from one extreme—in which campaigns are financed by unrestricted private contributions—to another extreme—in which the Federal Government becomes directly involved in campaign financing—I would favor the implementation and enforcement of laws designed to shorten campaigns, restrict contributions and expenditures, and force all candidates to disclose the source of their campaign funds. Enforcement of these measures—together with the enactment of my package of reform proposals—should end many of the abuses of our political campaign process without creating any additional problems.

As I have stated on previous occasions, I am opposed to public financing at

this time because I am convinced that it tends to emphasize, rather than de-emphasize, the use of money in political campaigns. In addition, public financing may separate the candidate from his constituency. For, once a candidate learns that he can tap the Federal Treasury for his campaign funds, he may be encouraged to allow campaign consultants to manage his campaign through use of the latest Madison Avenue techniques, instead of carrying his campaign to the people directly through personal contact with prospective voters.

As an alternative to "public financing" I have sponsored legislation to allow each taxpayer to take a 50 percent tax credit for a political contribution of \$150 by a single taxpayer or \$300 on a joint return. I am convinced that the "tax credit" approach to campaign financing reform is a better alternative to "public financing" because it encourages every taxpayer to voluntarily contribute to the candidate of his or her choice. An expanded use of the present tax credit for political contributions should broaden the base of campaign contributors and relieve candidates for Federal office from the necessity of soliciting large donations from a few wealthy individuals or organizations.

Mr. President, my proposal (S. 3131) to finance political campaigns through an increase in the maximum tax credit allowed for political contributions is the key element in my "package" of campaign reform proposals. Since this proposal cannot be adequately considered until it has been attached to a House-passed bill, it is obvious that the Senate cannot engage in a serious debate of its provisions at this time. Moreover, the Senate has already tabled the second element of my campaign reform "package" which would have reduced campaign costs by permitting congressional candidates to make two mass mailings at Government expense.

Mr. President, I am committed to the passage of meaningful campaign reform legislation. I am also unwilling to further delay the work of the Senate. For, in addition to campaign reform many other important issues are demanding our attention. I intend, therefore, to vote in favor of closing the debate on S. 3044 in the hope that the Senate can move to a vote on the "public financing" bill.

I remain convinced, however, that my proposals—taken as a whole—would regulate the conduct of future campaigns without injecting an unwarranted infusion of Federal funds into the political campaign process. Until "public financing" becomes the "law of the land," I will continue to fight for enactment of my alternative proposals.

Mr. President, I yield back the remainder of my time.

THE PRESIDING OFFICER. Who yields time?

Mr. CLARK, Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged to either side.

THE PRESIDING OFFICER. (Mr. HATHAWAY). Without objection, it is so ordered, and the clerk will call the roll.

Mr. GOLDWATER, Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CELEBRATION OF 100TH ANNIVERSARY OF THE BIRTH OF HERBERT HOOVER

Mr. GOLDWATER, Mr. President, on April 1, I submitted a concurrent resolution calling for the celebration of the 100th anniversary of the birth of Herbert Hoover on August 10 of this year in the town of West Branch, Iowa. I know that many Members of this body, regardless of party affiliation, hold the memory of this great man in high regard; and in testimony of this fact, I am delighted to announce that 25 Senators already have contacted me wishing to cosponsor the resolution. I will ask that a list of these sponsors appear at the end of my remarks.

Mr. President, Herbert Hoover is known for his many careers, as mining engineer, humanitarian, President, statesman, and author. In his lifetime, he has done some very important things for his country and the world. His relief activities are unparalleled.

His humanitarian career began in 1900 when he directed the food relief for victims of the Boxer Rebellion; then in 1914 he organized the American Relief Committee, and, as chairman, expedited the return of 120,000 U.S. citizens who were stranded in Europe at the outbreak of World War I. Later that year, with Belgium and northern France occupied by the Germans, he directed the relief of 10 million persons in the area who had faced starvation. In 4 years of war he got a billion dollars worth of food to those people. Once we entered the war, Hoover was appointed U.S. food administrator by President Wilson and pioneered methods of mobilizing food resources in wartime. After the Armistice he was appointed Director General of Relief and Reconstruction of Europe and supervised the distribution of \$3.3 billion of food and clothing to millions of cold and hungry persons in 30 countries.

In 1921, Hoover helped obtain relief for the starving masses in Russia; and in 1927, when the Mississippi Valley had its worst flood in the memory of man, Hoover successfully undertook the job of moving a million and a half Americans to safety.

His humane activities continued in 1946 when he was appointed coordinator of Food Supply for World Famine by President Truman. In that capacity, Hoover traveled 35,000 miles to 22 countries threatened with famine and as a result of his recommendations, the United States shipped more than 6 million tons of bread grains to the people of the hungry nations.

His Government career, after 7 years of service as Secretary of Commerce and 4 years as President of the United States, was capped by distinguished service, while in his seventies, as head of the two Hoover Commissions for organizing the executive branch of government. The two "Hoover Plans" made objective and nonpartisan recommendations, more than half of which were adopted, for economy and efficiency of Government operations.

Mr. President, this brief résumé of events in the life of Herbert Hoover conveys some of the reasons why I feel so deeply that we should honor his memory by providing for appropriate ceremonies commemorating the 100th anniversary of his birth.

Mr. President, I ask unanimous consent that a list of the sponsors of Senate Concurrent Resolution 79 be printed in the RECORD:

There being no objection, the list of sponsors was ordered to be printed in the RECORD, as follows:

SPONSORS OF S. CON. RES. 79

Mr. Goldwater, Mr. Bennett, Mr. Buckley, Mr. Dole, Mr. Domenici, Mr. Dominick, Mr. Eastland, Mr. Fannin, Mr. Griffin, Mr. Gurney, Mr. Hansen, Mr. Hatfield, and Mr. Hughes.
Mr. Case, Mr. Clark, Mr. Cotton, Mr. Javits, Mr. McClellan, Mr. Randolph, Mr. Scott, Mr. Stafford, Mr. Stevenson, Mr. Taft, Mr. Tower, Mr. Tunney, and Mr. Weiker.

FEDERAL ELECTION CAMPAIGN ACT
AMENDMENTS OF 1974

The Senate continued with the consideration of the bill (S. 3044) to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns.

Mr. ALLEN. I yield myself 6 minutes.

Mr. President, this amendment is in truth a campaign reform amendment—certainly, insofar as the pending measure is concerned—because it would accomplish a 20-percent overall cut in the permissible amounts that could be spent by a candidate for the House or the Senate or the presidential nomination or the general election—an overall cut of 20 percent in the permissible amounts that could be expended.

The one exception is where a minimum is provided for a small State. There would be no change in that.

This would be accomplished by changing two figures in the bill, one being a provision that in general elections, there may be spent 15 cents per person of voting age in the political subdivision from which the candidate is running, and 10 cents in primary elections.

This little amendment would save the Federal Treasury, save the taxpayers of the country, upwards of \$60 million every 4 years. We talk about campaign reform, cutting down on the amount of expenditures. Public financing does not accomplish that. This amendment is an effort to reduce the overall cost of elections.

The Senator from Alabama has already tried to add amendments cutting the amount of individual contributions. The first amendment was to cut the amount that could be contributed in a Presidential election to \$250, and in House and Senate races to \$100, the theory being that that is all the Treasury would match and that, therefore, there should not be any contribution over that. That amendment was turned down.

Then the Senator from Alabama offered another amendment which would raise those figures a great deal, to provide a \$2,000 contribution permitted in

Presidential races, a \$1,000 contribution in the House and the Senate. That amendment was voted down by the Senate.

That leads the Senator from Alabama to the inescapable conclusion that the proponents of this bill, this public financing measure, are not interested in campaign reform. What they are interested in, particularly in the primaries, is providing campaign expenses for themselves. They want the best of two worlds. They want contributions permitted up to \$3,000 per person, \$6,000 per couple. They want those contributions, and then they want a matching system, too. So they do not want reform. They want public subsidy added to the amount garnered from the private sector.

The Senator from Alabama has tried to knock out the campaign subsidy provision, but a majority in the Senate, possibly even a two-thirds majority, wants to see their primary campaigns financed up to one-half, wants to see their general election campaigns financed 100 percent.

This little amendment is just a drop in the bucket. It would save approximately \$50 million or \$60 million every 4 years. But it would be a step in the right direction. It would cut down on the amount of Federal subsidy to the candidates for Federal offices. In the campaigns for the Presidential nomination, it would accomplish a considerable reduction.

Whereas now, Mr. President, the bill would permit subsidies of up to \$7.5 million to the various candidates for the Presidential nomination of the two parties, this amendment would cut those subsidies to approximately \$5.7 million. That is a pretty good little subsidy—\$5.7 million to subsidize 15 or 20 candidates for the Presidential nomination. I believe they could skimp along on that. I believe that the Senators and the Members of the House who are going to run for the Presidential nomination could get by on a subsidy of \$5.7 million.

I see the distinguished Senator from California (Mr. CRANSTON) entering the Chamber. This would not cut the subsidy of the Senator from California, because it does not apply to the upcoming election, but it would cut down on the subsidy allowed a candidate of a major party for the Senate in California from \$2,121,000 to a mere \$1,697,000. As soon as he got nominated by one of the two major parties, he would go to the Treasury and pick up a check for \$1,697,000 to run his senatorial race.

Mr. President, it seems to the Senator from Alabama that this is not hitting the politicians of the country too heavily, to cut down on the overall expenditures on which the subsidy is based—to cut down on overall expenditures.

I am hopeful that the Senate will agree to this amendment. I might say that the amendment was originally reduced to cut the 15 cents per person of voting age to 10 cents, which would have been a one-third reduction from what is provided in the bill; and in the primaries, from 10 cents per person of voting age to 5 cents.

When the Senator from Alabama explained his amendment on the floor, the distinguished manager of the bill stated that if the change was made to 12 cents per person of voting age in general elections and to 8 cents per person of voting age in primaries, he would support the amendment. So I am hopeful that the Senate will follow the lead of the distinguished manager of the bill and accept the amendment.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. CANNON. I yield 3 minutes to the Senator from Iowa.

Mr. CLARK. Mr. President, the amendment offered by the distinguished Senator from Alabama (Mr. ALLEN) certainly has the appearance of being an easy answer to the campaign funding abuses of the past 2 years; but in my judgment, it is an answer in appearance only, not in substance.

We all agree on the need to eliminate the influence of "big money" in the political process. So, the argument goes, we simply should drastically curtail campaign expenditures, or at least curtail them beyond the present bill. It is a remedy that everybody can understand, and I think it has great appeal: Just cut the amount a candidate can spend, and everything will be all right.

But while this amendment may be an easy answer to one problem, it only opens up another series of problems. By reducing the spending limits, this amendment would erode what little competition still exists in the political process. As we have seen, incumbent Congressmen and Senators are reelected—95 percent of the time in the past few years—largely because they have been able to outspend their challengers on the average of 2 to 1. S. 3044 with its public financing provisions, will diminish the fund-raising advantage incumbents now enjoy.

But the amendment now before the Senate would make it even more difficult to beat incumbent office holders, despite public financing. With all the advantages inherent in incumbency—the frank, media access, for example—challengers must be able to spend enough money to become known. Senator ALLEN's proposal—8 cents a voter in the primary and 12 cents in the general election—would be totally insufficient.

I think the Committee on Rules and Administration gave careful consideration to this matter and arrived at as equitable a figure as could be found.

Mr. President, I spent \$251,000 in my general election campaign against an incumbent Senator. Only two other challengers, my good friend from Colorado (Mr. HASKELL), and the Presiding Officer (Mr. HATHAWAY) spent less money in a successful race against an incumbent.

But my opponent in 1978 would be able to spend even less than that should this amendment be accepted. With only 12 cents a voter, it would be nearly impossible for any challenger to present his case to the people.

The American political system desperately needs more competition for public office, not less. I urge my colleagues to join me in defeating this amendment.

Mr. President, I yield back the remainder of my time.

Mr. CANNON. Mr. President, I have mixed emotions about the amendment. As the Senator from Alabama pointed out earlier, I did say if he changed his figures from 10 cents in the general election to 12 cents and from 5 cents in the primary to 8 cents, I would vote for that and I intend to vote for it. I am not sure where the correct balance is as to the formula. I do know that in some of the larger States under the formula we used it mounts up to a lot of money.

For example, in California, under the 15-cent provision in the general election, \$2,122,154 could be spent. In the primary election in California the figure could be \$1,414,300 under the bill as we reported it. Under the Senator's amendment those figures would become \$1,697,160 in the general election and \$1,131,440 in the primary. That still is a substantial amount of money and I am not prepared to say what is needed in the larger States. I know in some elections, as pointed out on the floor the other day, in the ten largest spending States in the last election, all would be reduced somewhat by the limits we had in the bill.

We have in the bill two provisions that would not be affected by the amendment. One of those provisions is that in the primary election a person could use his formula times the voting age population or the sum of \$125,000, whichever was greater; and in the general election, the formula times the voting age population or the sum of \$175,000, whichever was greater. So he arbitrarily arrives at a figure that the smaller States, that are small in population, but many of them small in area, such as my State, would be able to spend in both elections a sum of \$300,000. If this formula that is proposed by the Senator from Alabama were adopted there would be more States that could be affected by that base level. In other words, most of the States would be cut below that base level and more than would qualify under that base level formula than now qualify under the present formula that the Committee on Rules and Administration wrote into the bill.

As I say, I have sort of mixed emotions because I am not technically able to speak on this subject for those people who represent the larger States, States which require a lot more money from the standpoint of campaign financing. My distinguished colleague on the committee, the Senator from Kentucky (Mr. Cook) would be able to speak for his State.

The figure for Kentucky under the formula we had in the Senate bill would be \$335,250 in the general election and \$223,500 in the primary election. Those figures would be changed under the formula of the distinguished Senator from Alabama to \$268,200 in the general election and \$178,800 in the primary election. So I would have to look to my distinguished colleague from Kentucky on what should be done in his State. As far as I am concerned the floor we have put in for the small States is ample. I believe it perhaps could be cut somewhat. That has been suggested by a number of Senators; that we should go below that

amount. I am willing to abide by that and I would support the floor.

So while I intend to vote for the amendment of the Senator from Alabama, I look to my colleagues who would be directly affected on this on what could be done in their particular States.

Mr. COOK. Mr. President, may I say to the Senator from Nevada that this is a situation that really applies itself to the large States in the Union and I am sorry Senators from those States are not here to speak to it.

I can say with all honesty to the Senator from Alabama that in my primary I did not spend \$223,500 and did not spend \$335,250 in my general election. I know that we probably spent more than \$268,200, which is the 12-cent figure, and that was 5½ years ago.

I am not really sure until we get into a campaign whether we are going to get caught in inflation like everyone else.

I know I can speak without any hesitation at all that I was amazed to learn that when the next election came in my State, the cost for each candidate almost doubled the amount I had spent.

I think what does bother me is this: Let us take the 8 cents in the primary. Even if a candidate gets the bulk rate, I am not sure he could make mailings to all of his constituents under an 8-cent figure. We know that it now costs 10 cents for stamps. If one got the bulk rate, could he get envelopes, stamps, and enclosures and make up the difference in the apparent bulk rate of 7 or 7½ cents, with all printing costs or information costs, and make one mailing to constituents?

The answer is that it probably would be next to impossible to do.

I think we also have to be fair and honest and say it is probably impossible that we could make a mailing to all of our eligible voters as it is. I only hope that, if we are not successful with cloture this afternoon, what we are really not seeing is that the Senator from Alabama has decided to change the 15 and 10 to 8 and 12, if cloture is not available, we are going to have a whole series of amendments so that, instead of 8 and 10, it will be 7 and 11, and then 6 and 10, and then 5 and 9, and so on and so forth, in an effort, somehow or other, to keep the debate on this bill going longer and longer and longer, because I think that is really what we are discussing here.

We went over these figures in the Committee on Rules and Administration. We went over them quite extensively. If one believes this is the course to take and believes that we should take a try on this kind of financing, with which I have all kinds of problems in my own mind, I must say to my colleagues that, if in fact we are going to do it, and if it is successful, then I do not think its very import should destroy the system, because the funds expected and the figure allocated to the individual voter will result in an effective campaign not even being able to be waged, and we would find, as a result of our attempts to keep cutting the figures down and down and down, that we would have to repeal a law because, even though it was a good

law, it could not accomplish the purpose of it.

Every Senator has to vote based on the population of his State and based on whether he can or cannot agree with respect to the figures as between 10 and 15 and 8 and 12 cents.

I might say for the Senator's benefit that I have just found out, and I think in fairness I should only say, that the bulk rate could be accomplished at 6.1 cents. For those who believe that between 6.1- and the 8-cent rate their entire campaign expenditures can be made in one mailing to all their constituents and nothing more—no radio, no television, no other campaign of any kind that costs funds—that his entire expenditure, all gasoline, all travel, and everything else, can be represented in the difference between 6.1 and 8 cents, if they want to make a mailing to all the constituents that are available in their States, then that is the decision each individual has to make. I do not think, within the framework of the bill, it is possible.

What we are, in effect, saying, is that "We are going to save you money," but in the effort to save them money, we are going to make it impossible to have a campaign which can be financed. In effect, we are going to give the people a campaign financing bill under which the candidates are going to cheat right from the beginning. I think the American people have sounded loud and clear that that is the very thing they want to get rid of.

It would be the Senator from Kentucky's hope that he could conduct a campaign with \$335,000, but I think it is going to be very difficult, and one of the reasons it is going to be very difficult is the present status we have in the eyes of the American people. But I do not think we ought to do it in the course of saying, "Here, we are going to save you \$60 million in 4 years," because we might find a pet project in Alabama in the form of public works which might be worth over \$60 million, and nobody in the United States would know about it except the people of Alabama. Somehow or other, we have a habit of spending the money the American people contribute in taxes. Unfortunately, we spend more.

The Senator from Kentucky is opposed to deficit spending, and has always voted against deficit spending. But if we put it in the 8 and 12 as opposed to 10 and 15 cents, in the light of the 8-cent cost, if this program is adopted could a candidate make even one general mailing to all of the eligible voters in his State? I think the answer would have to be "No." I do not think he could run a campaign.

So this Senator will vote against the amendment of the Senator from Alabama only with the understanding that it does not change the money on this list for the Commonwealth of Kentucky, and probably it would be difficult for the Senator from Kentucky to raise amounts of this kind, because I think it is going to be very difficult to raise campaign funds.

Mr. ALLEN. Mr. President, how much time remains to the Senator from Alabama?

The PRESIDING OFFICER. The Senator from Alabama has 16 minutes remaining.

Mr. ALLEN. I yield myself 6 minutes. The PRESIDING OFFICER. The Senator is recognized for 6 minutes.

Mr. ALLEN. Mr. President, I have been somewhat mystified by the thrust of the argument of Senators supporting public financing. It does not seem to be part of their theory of what reform is to reduce the overall cost of campaigning. The word "restraint" on the part of candidates does not seem to be part of their vocabulary.

Mr. COOK. Mr. President, will the Senator yield for one slight suggestion?

Mr. ALLEN. I yield.

Mr. COOK. If the Senator takes campaign expenditures for the two Senators running for the last campaign in my State and the maximum on the list, it is about half or a little more than half that each candidate spent in that election.

Mr. ALLEN. I thank the Senator for his interruption and his comment.

Mr. COOK. I apologize.

Mr. ALLEN. I hope that the next time he will use his own time for making a comment.

The idea of restraint on the part of candidates has not seemed to enter into the thinking of those who are supposed to be for campaign reform. I submit that paying bills for campaigns out of the Public Treasury is not the Senator from Alabama's idea of campaign reform. Reducing the overall cost of elections, reducing the amount of individual contributions, and keeping them in the private sector is the idea of the Senator from Alabama as to what campaign reform is.

I want to commend the distinguished Senator from Maryland (Mr. MATHIAS), who is not here at this time. He has limited his contributions to \$100. The Representative from Ohio, Mr. VANIK, states that he is not accepting contributions or making any expenditures.

So one ingredient that has not been mixed into this so-called campaign re-

form bill is the idea of restraint on the part of candidates.

Mr. President, the amendment offered by the Senator from Alabama would mix a little restraint—restraint in spending taxpayers' money—into the idea of campaign reform. But every time the Senator from Alabama tries to cut down on campaign expenditures, tries to cut down on the amount of individual contributions, he does not get any support from those who cry out for the need of campaign reform. They are opposed to it. They want what they can get out of the private sector in the primaries plus what they can get out of the Government. That is not campaign reform—that is just escalating the cost of campaigns.

Mr. President, the Senator from Kentucky is worried about inflationary costs of campaigns. Well, the drafters of this bill thought of that, too, and they wrote a little provision in here on page 17 of the bill that provides an escalator in the bill. It is reform. It is campaign reform. They wrote a little escalator clause that says that while the cost of campaigning goes up, in effect, the cost of the Government subsidy, the amount of the Government subsidy goes up. There it is in black and white. So the Senator from Kentucky need not worry about that.

Mr. President, apparently the so-called reformers—that is, the spenders of the funds from the Federal Treasury—are not willing to cut down on the amount of the Government contributions. The amount of the campaign contributions.

We passed a bill in July limiting the contributions to \$3,000. That is too high. That is a big contribution, in the view of the Senator from Alabama. It permits two contributions, one by the man and one by the wife. That would be \$6,000. That is a pretty big contribution. That is all this bill would do. We have already passed a bill such as that.

But it is not campaign reform to say that the American taxpayer has to pay the cost of the general election campaign

of every Senator and every Member of the House of Representatives.

Nor is it reform to provide that the American taxpayer has got to pay up to \$7.5 million—and this is something that the American public does not realize—for each candidate for the Presidential nomination of the two major parties. Fifteen or 20 or 25 people are going to be running for the Presidential nomination. This will match the contributions of the various candidates provided that they first get a campaign fund of \$250,000 in small contributions. That would then match the contributions of all of them, including the \$250,000, up to the point where the Government had paid the \$7.5 million to each of the various candidates.

Mr. President, there are some 10 or 15 Senators who would not turn down a draft for the presidential nomination; and there are some Senators who would wage an active campaign.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. ALLEN. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for an additional 2 minutes.

Mr. ALLEN. Mr. President, this subsidy program, this welfare program for the benefit of politicians, is not campaign reform. The Senator from Alabama is taking a bad bill and is trying to make the bill 20 percent less bad by reducing the overall campaign expenditures permitted under the law. That is what the amendment does. So we are going to see whether the reformers want reform or whether they want a Federal subsidy. It is as simple as that.

Mr. President, I reserve the remainder of my time. However, before doing so, I ask unanimous consent that a tabulation showing the amounts to the various States under the various formulae be printed in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

PROPOSED CANDIDATE EXPENDITURE LIMITATIONS, U.S. POPULATION FIGURES AS OF JULY 1, 1973

Geographical areas	Voting age population—VAP (18 years and over)	S. 3044—10¢ per VAP in primary elections ¹	S. 3044—15¢ per VAP in general elections	5¢ per VAP in primary election ¹	10¢ per VAP in general election	8¢ per VAP in primary election ¹	12¢ per VAP in general election
United States—Primary ²	143,403,000	\$14,340,300	NA	\$7,170,150	NA	\$11,472,240	NA
United States—General ³	141,656,000	NA	\$21,248,400	NA	\$14,165,600	NA	\$16,998,720
Alabama	2,338,000	233,800	350,700	116,900	233,800	187,040	280,560
Alaska	1,206,000	20,000	30,000	10,000	20,000	16,000	24,000
Arizona	1,345,000	134,500	201,750	67,250	134,500	107,600	161,400
Arkansas	1,374,000	137,400	206,100	68,700	137,400	109,920	164,880
California	14,143,000	1,414,300	2,121,450	707,150	1,414,300	1,131,440	1,697,160
Colorado	1,631,000	163,100	244,650	81,550	163,100	130,480	195,720
Connecticut	2,101,000	210,100	315,150	105,050	210,100	168,080	252,120
Delaware	382,000	38,200	57,300	19,100	38,200	30,560	45,840
District of Columbia	529,000	52,900	79,350	26,450	52,900	42,320	63,480
Florida	5,427,000	542,700	814,050	271,350	542,700	434,160	651,240
Georgia	3,140,000	314,000	471,000	157,000	314,000	251,200	376,800
Hawaii	549,000	54,900	82,350	27,450	54,900	43,920	65,880
Idaho	501,000	50,100	75,150	25,050	50,100	40,080	60,120
Illinois	7,568,000	756,800	1,135,200	378,400	756,800	605,440	908,160
Indiana	3,530,000	353,000	529,500	176,500	353,000	282,400	423,600
Iowa	1,957,000	195,700	293,550	97,850	195,700	156,560	234,840
Kansas	1,570,000	157,000	235,500	78,500	157,000	125,600	188,400
Kentucky	2,235,000	223,500	335,250	111,750	223,500	178,800	268,200
Louisiana	2,399,000	239,900	359,850	119,950	239,900	191,920	287,880
Maine	689,000	68,900	103,350	34,450	68,900	55,120	82,680
Maryland	2,720,000	272,000	408,000	136,000	272,000	217,600	326,400
Massachusetts	4,006,000	400,600	600,900	200,300	400,600	320,480	480,720
Michigan	5,922,000	592,200	888,300	296,100	592,200	473,760	710,640
Minnesota	2,575,000	257,500	386,250	128,750	257,500	206,000	309,000
Mississippi	1,453,000	145,300	217,950	72,650	145,300	116,240	174,360
Missouri	3,251,000	325,100	487,650	162,550	325,100	260,080	390,120

Footnotes at end of table.

PROPOSED CANDIDATE EXPENDITURE LIMITATIONS, U.S. POPULATION FIGURES AS OF JULY 1, 1973—Continued

Geographical areas	Voting age population—VAP (18 years and over)	S. 3044—10¢ per VAP in primary elections ¹	S. 3044—15¢ per VAP in general elections	5¢ per VAP in primary election ¹	10¢ per VAP in general election	8¢ per VAP in primary election ¹	12¢ per VAP in general election
Montana	474,000	47,400	71,100	23,700	47,400	37,920	56,880
Nebraska	1,042,000	104,200	156,300	52,100	104,200	83,360	125,040
Nevada	365,000	36,500	54,750	18,250	36,500	29,200	43,800
New Hampshire	531,000	53,100	79,650	26,550	53,100	42,480	63,720
New Jersey	5,030,000	503,000	754,500	251,500	503,000	402,400	603,600
New Mexico	691,000	69,100	103,650	34,550	69,100	55,280	82,920
New York	12,665,000	1,266,500	1,899,750	633,250	1,266,500	1,013,200	1,519,800
North Carolina	3,541,000	354,100	531,150	172,550	354,100	276,080	414,120
North Dakota	421,000	42,100	63,150	21,050	42,100	33,680	50,520
Ohio	7,175,000	717,500	1,076,250	358,750	717,500	574,000	861,000
Oklahoma	1,832,000	183,200	274,800	91,600	183,200	146,560	219,840
Oregon	1,532,000	153,200	229,800	76,600	153,200	122,560	183,840
Pennsylvania	8,240,000	824,000	1,236,000	412,000	824,000	659,200	998,800
Rhode Island	677,000	67,700	101,550	33,850	67,700	54,160	81,240
South Carolina	1,775,000	177,500	266,250	88,750	177,500	142,000	213,000
South Dakota	454,000	45,400	68,100	22,700	45,400	36,320	54,480
Tennessee	2,799,000	279,900	419,850	139,950	279,900	223,920	33,880
Texas	7,785,000	778,500	1,167,750	389,250	778,500	622,800	934,200
Utah	715,000	71,500	107,250	35,750	71,500	57,200	85,800
Vermont	309,000	30,900	46,350	15,450	30,900	24,720	37,080
Virginia	3,243,000	324,300	486,450	162,150	324,300	259,440	389,160
Washington	2,329,000	232,900	349,350	116,450	232,900	186,320	279,480
West Virginia	1,228,000	122,800	184,200	61,400	122,800	98,240	147,360
Wisconsin	3,033,000	303,300	454,950	151,650	303,300	242,640	363,960
Wyoming	234,000	23,400	35,100	11,700	23,400	18,720	28,080
Outlying areas:							
Puerto Rico	1,651,000	165,100	247,650	82,550	165,100	132,080	198,120
Guam	52,000	5,200	7,800	2,600	5,200	4,160	6,240
Virgin Islands	44,000	4,400	6,600	2,200	4,400	3,520	5,280

¹ Presidential primary candidates may spend in any State twice the amount a candidate for Senate nomination may spend, subject to a national limit of 10¢ times total VAP in connection with campaign for presidential nomination.

² VAP for the primary election includes all geographical area populations because the outlying areas could participate in the presidential nominating process to the extent that they are permitted to send delegates to the national nominating conventions.

³ VAP for the general election includes all geographical area populations except Puerto Rico, Guam, and the Virgin Islands because their residents are not permitted to vote in the presidential general election.

Mr. COOK. Mr. President, may I say that I apologize to the Senator from Alabama for taking any of his time.

Mr. President, how much time have we remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 7 minutes remaining.

Mr. COOK. Mr. President, I would be perfectly willing to yield the entire 7 minutes to the Senator from Alabama, if he wishes to use that time along with his time, so that he will not feel that he was interrupted.

Other than that, we would be willing to yield back the time on this side. However, I would be willing to make it available to the Senator from Alabama, if he would wish to use it.

Mr. ALLEN. Mr. President, I would much prefer that the Senator from Kentucky use his time because I feel that the argument he is making on behalf of not reducing this subsidy is certainly having an adverse effect on his position. I hope that he will use the remainder of his 7 minutes.

Mr. President, I reserve the remainder of my time.

Mr. COOK. Mr. President, I think we have made our point. I yield back the remainder of our time.

The PRESIDING OFFICER. Who yields time?

Mr. ALLEN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Alabama has 8 minutes remaining.

Mr. ALLEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendments, en bloc, of the Senator from Alabama. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from Idaho (Mr. CHURCH), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), and the Senator from Wyoming (Mr. MCGEE), are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. BENNETT), and the Senator from Hawaii (Mr. FONG), are necessarily absent.

I also announce that the Senator from Virginia (Mr. WILLIAM L. SCOTT), is absent on official business.

The result was announced—yeas 46, nays 43, as follows:

[No. 125 Leg.]

YEAS—46

- | | | |
|-----------------|------------|-----------|
| Aiken | Ervin | Pearson |
| Allen | Fannin | Pell |
| Baker | Griffin | Proxmire |
| Bartlett | Hansen | Randolph |
| Bellmon | Hartke | Ribicoff |
| Bible | Helms | Roth |
| Brock | Hollings | Sparkman |
| Burdick | Hruska | Stafford |
| Byrd | McClellan | Stennis |
| Harry F., Jr. | McIntyre | Stevenson |
| Byrd, Robert C. | Metzenbaum | Symington |
| Cannon | Moss | Taft |
| Chiles | Muskie | Talmadge |
| Cotton | Nelson | Thurmond |
| Curtis | Nunn | Weicker |
| Eagleton | Packwood | |

NAYS—43

- | | | |
|----------|------------|-------------|
| Abourezk | Goldwater | Magnuson |
| Bayh | Gravel | Mansfield |
| Beall | Gurney | Mathias |
| Brooke | Hart | McClure |
| Buckley | Haskell | McGovern |
| Case | Hatfield | Metcalf |
| Clark | Hathaway | Mondale |
| Cook | Huddleston | Montoya |
| Cranston | Humphrey | Pastore |
| Dole | Inouye | Percy |
| Domenici | Jackson | Schweiker |
| Dominick | Javits | Scott, Hugh |
| Eastland | Johnston | Stevens |

- | | | |
|---------------|-----------|------------|
| Tower | Williams | |
| Tunney | Young | |
| NOT VOTING—11 | | |
| Bennett | Fong | Long |
| Bentsen | Fulbright | McGee |
| Biden | Hughes | Scott, |
| Church | Kennedy | William L. |

So Mr. ALLEN's amendment (No. 1141, as modified) was agreed to.

Mr. ALLEN. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. CANNON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. HELMS). Pursuant to the previous order, the Senator from Illinois (Mr. STEVENSON) is now recognized to call up an amendment.

Mr. SPARKMAN. Mr. President, will the Senator from Illinois yield to me briefly?

Mr. STEVENSON. I am glad to yield to the Senator from Alabama, reserving my right to the floor.

VISIT TO THE SENATE BY MEMBERS OF THE GERMAN BUNDESTAG

Mr. SPARKMAN. Mr. President, we are honored today to have visiting us eight members of the German Bundestag, headed by the President of the German Bundestag, Mrs. Annemarie Renger.

I understand that Mrs. Annemarie Renger is the only woman head of a parliament anywhere in the world, so I suppose we can all agree that women's lib has come to Germany first of all.

Will our distinguished guests who are now seated in the rear of the Chamber please rise when I call their names.

Mrs. Annemarie Renger, President of the German Bundestag. Hans Katzer, Hermann Hoecherl, Dr. Herbert Ehrenberg, Uwe Ronneburger, Hans-Jurgen

Wischniewski, Hermann Schmidt, Dr. Richard von Weizsacker. May I also present His Excellency Berndt von Staden, the Ambassador from the Federal Republic of Germany to the United States. (Applause, Senators rising).

RECESS FOR 2 MINUTES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a 2-minute recess for the purpose of greeting our distinguished visitors, and that the distinguished Senator from Illinois (Mr. STEVENSON) retain his right to the floor.

There being no objection, at 2:06 p.m., the Senate took a recess until 2:08 p.m., whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. HELMS).

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD short biographies of each one of our distinguished guests.

There being no objection, the biographies were ordered to be printed in the RECORD, as follows:

RENGER, ANNEMARIE (SPD)

President of the German Bundestag. Social Democratic Party. Born October 7, 1919. Widow. Employed in publishing business. From 1945 to 1952, private secretary of Dr. Kurt Schumacher.

Member of Bundestag since 1953. From 1959 to 1966, member of the Advisory Assembly of the European Council and the Assembly of the Western European Union.

Until April 1973, member of the Executive Committee of the Social Democratic Party and the Presidium.

Since December 18, 1972, President of the German Bundestag.

Member of the Executive Committee of the Party's representation in the Bundestag.

Vice President of the International Council of Social Democratic Women in the Socialist International.

KATZER, HANS (CDU)

Member of the German Bundestag. Christian Democratic Party. Born January 31, 1919. Married.

Technical School (Textile Industry). 1950, Secretary General, since 1963 Chairman of the Social Committee of the Christian Democratic Workmen of Germany.

Deputy Chairman of the Christian Democratic Union of Germany.

Board member of Ruhrkohle AG. Since 1957, member of the German Bundestag.

From 1965 to 1969, Federal Minister of Labour and Social Affairs.

Deputy Chairman of the Christian Democratic Party/Christian Social Union group in the Bundestag.

Regular member of the Committee for the Preservation of the Rights of the Parliamentary Representation according to Article 45 GG (Constitution) and of the Joint Committee according to Article 53A GG.

HOEGHERL, HERMAN (CDU/CSU)

Member of the German Bundestag. Christian Democratic Party/Christian Social Union.

Born March 31, 1912. Married. Lawyer.

Studied law in Berlin, Aix-en-Provence and Munich.

Member of the CSU Bavarian Executive Committee.

Member of the Advisory Council of the Bayerische Vereinsbank and of the Directorate of the Bayerische Treuhand AG.

Member of the German Bundestag since 1953.

1957-1961 Chairman of the CSU group in the Bavarian State Parliament and Deputy Chairman of the CDU/CSU Bundestag group.

1961 to 1965, Federal Minister of the Interior.

1965 to 1969, Federal Minister of Food, Agriculture and Forestry.

1969 to 1972, Deputy Chairman of the CSU group in the Bavarian State Parliament and Chairman of the Mediation Committee.

Since 1970, Chairman of the Committee Budget, Taxes, Money, and Credit of the CDU/CSU group.

Regular member of the Finance Committee.

DR. EHRENBURG, HERBERT (SPD)

Member of the German Bundestag. Social Democratic Party.

Born December 21, 1926. Married.

Political Economist, studied Sociology in Wilhelmshaven and Göttingen, Dr. rer. pol. From 1964 to 1968, political-economic division at the General Board of the Industrial Trade Union (Construction Workers' Union).

Member of the Committee for Political Science with the SPD Executive Committee and member of the expanded Committee of the Society for Social Progress.

From May, 1968 to October 1969, Director of the sub-division Structural Policy in the Federal Ministry of Economics.

October 1969 to April 1971, Director of the Division Economic, Financial, and Social Policy in the Federal Chancellery.

May 1971, to December 1972, State Secretary at the Federal Ministry of Labour and Social Affairs.

Since December 1972, member of the German Bundestag.

Deputy Leader of the Bundestag group of the Party.

Deputy Chairman of the Economics Committee.

RONNEBURGER, UWE (FDP)

Member of the German Bundestag. Free Democratic Party.

Born November 23, 1920. Married.

Farmer. Since 1970, Chairman of the FDP Party Schleswig-Holstein and member of the Executive Committee of the FDP.

1966 to 1972, member of the General Synod of the United Protestant-Lutheran Churches of Germany, since 1972, member of the Synod of the Lutheran Church of Germany.

Member of the German Bundestag since December 1972.

Deputy Chairman of the FDP group of the Bundestag.

Regular member of the Foreign Affairs Committee.

Regular member of the Committee of Food, Agriculture and Forestry.

WISCHENEWSKI, HANS-JÜRGEN (SPD)

Member of the German Bundestag. Social Democratic Party.

Born July 24, 1922. Married.

1953 to 1959, secretary at IG Metall. 1959 to 1961, Federal Chairman of the Young Socialists.

1968-1972, member of the Executive Committee of the Party.

Member of the German Society for Foreign Policy.

Since 1957, member of the German Bundestag. From 1961 to 1965, member of the European Parliament.

From 1966 to 1968, Federal Minister for Economic Cooperation.

Member of the Executive Committee of the Party group in the Bundestag.

Regular member of the Foreign Policy Committee.

Regular member of the 1st Investigation Committee.

Deputy Chairman of Committee I for Foreign and Security Policy, Inter-German relations, Europe and Development Policy.

SCHMIDT (WURGENDORF), HERMANN (SPD)

Member of the German Bundestag. Social Democratic Party.

Born February 6, 1917. Married.

Manager, Colonel (res.). From 1946, business manager of the "Westfälische Rundschau" in Siegen.

From 1948, temporarily municipal, magistrate, and district representative.

Since 1962, district president and in this capacity Chairman of the Board of Directors of the Transport Society South Westfalia.

1950-1961, member of the Parliament of Nordrhein-Westfalen

Since 1961, member of the German Bundestag

Member of the European Council, of the Western European Union and of the North Atlantic Assembly.

From 1969-1972, Deputy Chairman of the Defense Committee.

Since February 1, 1973, Chairman of the Defense Committee.

DR. VON WEIZSÄCKER, RICHARD (CDU)

Member of the German Bundestag. Christian Democratic Party.

Born April 15, 1920. Married.

Lawyer. Studied law in Oxford, Grenoble, and Göttingen.

Dr. Jur., board member of several corporations.

1964-1970, President of the German Lutheran Convention.

Member of the Synod and the Council of the Lutheran Church in Germany.

Member of the Executive Committee and Chairman of the Commission on Rules of the Christian Democratic Party.

Member of the German Bundestag since 1969.

Deputy Chairman of the Christian Democratic Party/Christian Social Union group in the Bundestag.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

The Senate continued with the consideration of the bill (S. 3044) to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns.

Mr. HART. Mr. President, I ask unanimous consent that during further consideration of the pending bill, Burton Wides of my office, be permitted the privilege of the floor.

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

Mr. STEVENSON. Mr. President, I send an unprinted amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. STEVENSON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The text of the amendment is as follows:

On page 10, beginning with line 17, strike out through line 8 on page 11, and insert in lieu thereof the following:

"(b) (1) Every eligible candidate who is nominated by a major party is entitled to payments for use in his general election campaign in an amount equal to the sum of—

"(A) (i) in the case of a candidate for election to the office of President, 40 percent of the amount of expenditures the candidate may make in connection with that campaign under section 504, and

"(ii) in the case of a candidate for election to the office of Senator or Representative, 25 percent of the amount of expenditures the candidate may make in connection with that campaign under section 504, and

"(B) the amount of contributions he and his authorized committees received for that campaign.

"(2) Every eligible candidate who is nominated by a minor party is entitled to payments for use in his general election campaign in an amount equal to the sum of—

"(A) an amount which bears the same ratio to the amount to which a major party candidate for election to the same office is entitled under paragraph (1) (A) as the total number of popular votes received by the candidate of that minor party for that office in the preceding general election bears to the average number of popular votes received by the candidates of major parties for that office in the preceding election, and

"(B) the amount of contributions he and his authorized committees received for that campaign.

On page 11, beginning with line 19, strike out through line 23 on page 12 and insert in lieu thereof the following: to the sum of—

"(1) an amount which bears the same ratio to the amount to which a major party candidate for election to the same office is entitled under paragraph (1) (A) as the number of popular votes received by that candidate (other than as the candidate of a major or minor party) in the preceding general election for that office bears to the average number of votes cast in the preceding general election for all major party candidates for that office, and

"(ii) the amount of contributions he and his authorized committee received for that campaign.

"(4) An eligible candidate who is the nominee of a minor party or whose eligibility is determined under section 502(d) (2) and who receives 5 percent or more of the total number of votes cast in an election, is entitled to receive payments under section 508 after the election for expenditures made or incurred in connection with his general election campaign in an amount equal to the sum of—

"(A) an amount which bears the same ratio to the amount to which a major party candidate for election to the same office is entitled under paragraph (1) (A) as the number of popular votes received by that candidate in the election bears to the average number of votes cast for all major party candidates for that office in that election, and

"(B) the amount of contributions he and his authorized committees received for that campaign.

"(5) For purposes of this subsection—

"(A) in the case of a candidate for election to the office of President, no contribution from any person shall be taken into account to the extent that it exceeds \$250 when added to the amount of all other contributions made by that person to or for the benefit of that candidate for his general election campaign; and

"(B) in the case of any other candidate for election to Federal office, no contribution from any person shall be taken into account to the extent that it exceeds \$100 when added to the amount of all other contributions made by that person to or for the benefit of that candidate for his general election campaign.

"(6) No candidate may receive payments under paragraph (2) (B), 3 (B) (ii), or (4) (B) in excess of an amount which bears the same ratio to one-half of the difference between the amount to which the candidate is entitled under paragraph (2) (A), (3) (B) (i), or (4) (A) (whichever is applicable) and the amount of expenditures the candidate may make in connection with his general election campaign under section 504 as the amount to which he is entitled under paragraph (2) (A), (3) (B) (i), or (4) (A) (whichever is applicable) bears to the amount to which a candidate for election to the same office is entitled under paragraph (1) (A).

On page 12, line 24, strike out "(5)" and insert in lieu thereof "(7)".

On page 78, after the matter below line 22, insert the following:

EXPENDITURE LIMITATIONS

SEC. 305. Effective on the day after the date of enactment of this act, section 615(a) of title 18, United States Code, is amended to read as follows:

"(a) (1) No individual may make a contribution to or for the benefit of a candidate for use in his primary election campaign, or for use in his general election campaign which, when added to the sum of all other contributions made by that individual for use in that primary or general election campaign, exceeds \$3,000.

"(2) Notwithstanding the provisions of subsection (c) (3), no person (not an individual) may make a contribution to or for the benefit of a candidate for use in his campaigns for nomination and for election to Federal office which, when added to the sum of all other contributions made by that person for use in either or both of those campaigns, exceeds \$6,000."

Mr. STEVENSON. Mr. President, I offer this amendment on behalf of myself and Senators TAFT, DOMENICI, MONDALE, CRANSTON, HUMPHREY, and BEALL.

The purpose of public financing is to eliminate the large and potentially corrupting contributions of big money from our politics. This amendment would accomplish that purpose but it would not eliminate the innocent, small contributions which are a healthy form of participation in our political system.

This amendment would limit the campaign contributions of individuals to Federal campaigns to \$3,000 in primaries and \$3,000 in general election campaigns. In that respect, it does not alter the provisions of the bill reported by the Rules Committee.

It would also limit the contributions of committees to \$6,000, which could be allocated between a general election campaign and a primary election campaign as the committee sees fit.

This amendment then establishes a system of partial public financing as opposed to the 100 percent public financing which is established in the bill

reported by the Rules Committee. Instead of 100 percent public financing, congressional candidates would receive a front-end subsidy 25 percent of the expenditure limit applicable to congressional campaigns. In addition, private contributions of \$100 or less would be matched with public funds on a dollar-for-dollar basis.

Presidential candidates would receive a 40-percent entitlement and matching funds for private contributions of \$250 or less, again on a dollar-for-dollar basis. That means that congressional candidates could receive up to 62.5 percent and presidential candidates up to 75 percent of the respective expenditure limits from public sources, instead of 100 percent.

This amendment strikes a fair balance between those who want 100 percent and those who want nothing. It decreases the cost to the Treasury of the financing of campaigns for Federal office. If this amendment prevails, the amounts from the checkoff would be more likely to cover the total cost of public financing. It does not in any way affect the committee bill's treatment financing of primary election campaigns. It preserves the healthy and innocent participation of small contributors. It eliminates the dangerous participation that comes as a result of large contributions to campaigns for Federal office. It would more clearly be constitutional than any measure which effectively prohibited all public funds, no matter how small.

The prospect of waiting for the Treasury to send \$950,000 to a candidate for the U.S. Senate in Illinois is offensive. It is offensive to me. It would be offensive, I daresay, to many members of the public, and it is dangerous. A candidate could then literally buy a campaign. Candidates ought to be under some compulsion to seek small contributions from the people, and the people ought to be permitted that form of political participation.

Mr. President, I ask unanimous consent that William Staszak of my staff be permitted the privilege of the floor during the consideration of this amendment.

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

Mr. STEVENSON. Mr. President, the distinguished Senator from Ohio (Mr. TAFT) and the distinguished Senator from New Mexico (Mr. DOMENICI) have worked long and hard on this proposal. It is a compromise. It is intended not only to eliminate the corrupt influence of large money in our politics but also is intended to end the debate which has swirled around this bill. It will not make everybody satisfied, but it does give us an opportunity to get an important job done and to get on with the rest of our business in the Senate. Senator DOMENICI and Senator TAFT have been my partners in this endeavor. They have worked at great length on it, and have done so very resourcefully.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. STEVENSON. I yield to the Senator from Ohio (Mr. TAFT).

Mr. TAFT. Mr. President, I commend the Senator from Illinois for his initiative in this matter as well as the Senator from New Mexico (Mr. DOMENICI) and others who have agreed to cosponsor this amendment to the pending campaign reform bill. We hope it will serve as a basis for compromise on public financing and thus move the debate forward considerably.

The pending bill, without our proposed amendment, provides Federal matching payments for all contributions of \$100 or less for primary election congressional candidates—\$250 or less in the case of Presidential candidates—who collect certain minimum amounts of private funding on their own, and 100 percent public financing for the general election campaigns of major party candidates, up to overall spending limits. Limitations on private contributions would be \$3,000 for individuals and \$6,000 for any organization such as COPE or BIPAC.

By contrast, our amendment would restructure public financing for general elections, so that major party congressional candidates could receive 25 percent of the campaign spending limit in Federal funds upon their nomination with no matching required, and \$1 of additional funding for each dollar collected in private contributions of \$100 or less for congressional races. A similar arrangement, with a 40 percent downpayment and matching contributions up to \$250, would be applied to Presidential general elections. As under the present bill, minor party candidates would operate under the same system but be eligible for proportionately less Federal funding in general elections, based upon their performance. Limitations on contributions for organizations would be lowered from \$6,000 in primary and general elections separately to \$6,000 total.

I believe that basic reforms in campaigns financing are essential so that our citizens will be certain that their Government is not being operated to satisfy the interests of the few large contributors, rather than the Nation as a whole. The most important step we can take in this direction is to place strict limitations on the amounts which any single individual or organization can contribute to a candidate. The bill before the Senate attempts to do this, but has been loop-holed with an amendment allowing contributions of up to \$6,000 from organizations.

The bill before us also provides public financing, in recognition that these limits in themselves will exacerbate the task of raising enough campaign funds for both incumbent and challenger to make their views known to the public. However, I am concerned that the bill will allow private contributions too high to eliminate the abuses it seeks to correct; allow more public financing than necessary for general elections; foster a mushrooming of wasteful campaign expenditures at taxpayers' expense and the proliferation of campaign expert firms which have grown up already to an alarming extent; and unnecessarily eliminate a meaningful role for small private contributions.

The system we are proposing would clamp down on the size of private con-

tributions; provide full public financing for the crucial initial portion of campaign expenses but force heavy reliance upon small private contributions for remaining expenses; continue and increase the importance of the role of grass roots activities, and the small contributors involved, in campaign finance; and reduce Federal costs over the present bill by thousands of dollars for each campaign—in fact, so far as the Presidential and possibly even senatorial races are concerned, by millions of dollars.

I am hopeful that the merits of this particular public financing approach will appeal to both supporters and opponents of full public financing.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. STEVENSON. Mr. President, I yield to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I do wish to commend the Senator from Illinois and the Senator from Ohio for the work they have done on this amendment. I have just a few thoughts to add to theirs.

First of all, I have supported the idea of public financing of Federal elections from the very beginning. But I have looked very carefully at what we were trying to do when we moved in the direction of public financing and found at first we were trying to get of the very large contributions that really or to the American people were having an inordinate effect on the political system. I think public financing would do that, and our amendment would do that, but no one who was a proponent of public financing, to my knowledge, has said there was anything wrong with a candidate for public office taking contributions from small contributors, indeed, in large number. In fact, many of those who have been proponents of public financing have been equally strong proponents for the involvement of the average citizen.

What concerns me about the bill without the amendment of the Senator from Illinois, the Senator from Ohio, me, and others, is that basically it is saying, "We do not want participation by the average citizen: \$100, \$200, \$300, \$500." It has been said here with regard to other bills before us that we frequently throw the baby out with the bathwater. In this instance, unless we not only permit small contributions but also encourage and entice them, we will, indeed, be doing that.

In campaigns across the country the average citizen has said, "I like that candidate. I want to give him a small contribution." Instead of that kind of contribution, which is basically at the heart of participation, and putting small money where the mouth is, and letting a citizen's personal endeavors in behalf of the candidate follow, we would eliminate that in the bill before the Senate, where candidates could, if they choose, get private contributions. But as a matter of fact there is no incentive or encouragement because if the candidate does not he will get a check from the Federal Government for 100 percent.

I believe there is nothing wrong with the \$100 matching all the way up, with encouragement to get a \$1,000 contribution, or up to \$3,000. This would narrow

and cut back on the effect that Federal tax dollars would have on the total amount to be used.

The same reasoning can be used with respect to Presidential campaigns. There is nothing miraculous about 25 and 40. To encourage the \$100 and the \$250 for Presidential races, minimizing the \$6,000 contributions groups can give, leaving it at \$6,000, but not permitting it in primary and general elections, and upping the individual to \$3,000 is a significant stroke in the direction of individual citizen participation. But it eliminates the thing we started out to eliminate.

With reference to my campaign for the Senate, indeed, I had large contributors, but I believe my campaign stands in the State of New Mexico as a record for the number of small contributors that contributed to my campaign. For a small State like mine, it would approach 5,000 individual donors. We went out and asked them, and they, in turn, asked others, and from them came the nucleus of those who had a genuine interest, with small amounts of \$100 to \$150.

I truly do not want to be a part of eliminating that kind of participation which I think is salutary and has a good effect. I hope those who are genuinely interested in public financing will understand this is a genuine effort to start in a new direction where we have not had one, and start in a reasonable way for a reasonable amount of public money, and leave the ingredient of participation that comes from the contribution of many small Americans who still take politics and candidates seriously, and who would prefer to give their money, \$100 or whatever, to their candidate and still make them feel it is important, and not say, "You do not have to contribute if you do not want to; we will get it all from the Treasury."

That is the answer we will get from other than those who do not want any public financing. That is what we will be saying to the smaller contributor. We will be saying, "You are not important because if you do not give, we will get it from the Treasury."

Those who favor this approach will understand it is possible to move from zero to 100 percent. The amendment of the Senator from Illinois, the Senator from Ohio, and the Senator from New Mexico would be a good and salutary start toward preservation of that which is good in the present system.

Mr. STEVENSON. Mr. President, I wish to commend the Senator from New Mexico for recognizing that it is possible to eliminate the large contributors from politics without eliminating small contributions. Far from being a source of corruption, the small contribution is a source of involvement by people in their politics.

The purpose of the amendment is to drive the big money, but not the people, out of our politics.

I wish to ask the Senator from New Mexico if he does not agree that to eliminate the \$1 or \$2 or \$3 contributions from campaigns might very well be unconstitutional. It is not only that, but it seems to me there is a constitutional right of people to contribute in small

amounts to the candidates of their choice. Without some basis for saying, "No, it is wrong; it is unreasonable to make small contributions."—and—I see no basis for such an assertion—it is possible it could be held to be unconstitutional to take that approach.

Mr. DOMENICI. My answer is in the affirmative. I think there are serious constitutional objections to a provision which would prohibit it. I think from a legal and practical point of view, if a citizen cannot contribute, regardless of whether he wants to contribute, small or large, it is both practical and unconstitutional.

There is evidence which would justify drawing the line somewhere, I think \$3,000 and \$6,000. Those are a matter of proper legislative judgment on the facts that have been developed in the history of this Nation, but to say, "One cannot give; we will take it all from the tax coffers" would place this matter in serious jeopardy.

Mr. STEVENSON. I thank the Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. STEVENSON. I yield to the distinguished senior Senator from Minnesota.

Mr. HUMPHREY. Junior now.

Mr. STEVENSON. Junior.

Mr. HUMPHREY. Mr. President, I have over the past few days been visiting from time to time with the distinguished Senator from Illinois (Mr. STEVENSON) about this amendment. Earlier today I talked with the Senator from New Mexico about it. I have been a strong proponent of what we call public financing of election campaigns, but I have been in this Body long enough to know when we are really trying to get results or whether we are just going to have an issue. I think the question before the Senate is, Do you want an issue or do you want an accomplishment? Do you want to make some progress or do you want to spin your wheels?

I would prefer to have 100-percent financing of Presidential elections particularly. While some say large contributions are a source of corruption, the fact is they are always a source of suspicion, and in the times in which we live, that sense of suspicion has been intensified.

Therefore, it is necessary for the Congress of the United States to reform the campaign election laws, to limit the size of contributions, to establish machinery that will supervise our elections fearlessly and honestly, and at the same time try to make use of our checkoff system, which we have already legislated, a checkoff fund or trust fund to which hundreds of thousands of taxpayers have already made payments, and to use that checkoff fund sensibly and honestly in the election campaign or in the campaign process.

So, Mr. President, I came to the conclusion that if you just want to talk campaign financing, then go the whole way and make Ivory soap seem to be contaminated and float right out of the stream of public life and private sensibility; but if you want to get some reform that will do the job that we need to do, namely, to limit the size of contributions, to have an accounting of every dollar

that comes in as well as every dollar that is expended, to set limits on how much we can spend on a campaign per voter, and at the same time assure some private interest on the part of individuals in the campaign and election process, then we have to make some changes along the line of the amendment proposed by the Senator from Illinois and other Senators. I am very proud to be a cosponsor of the amendment.

I have talked with the Senator, as I said, a number of times, and last week indicated my desire to be associated with that amendment. I want to say great pressure has been brought on some of us not to be associated with it. Some people that are associated with what we call good government or clean government do not want me to go along with this proposal, but as I had to tell one of them, "I have to do the voting in the Chamber, and you are the very people who have told me we should not be influenced on the outside." So I am not going to be influenced. The only influence is going to come from the inside—what I know to be right. What I know to be right is what we are attempting to do here. We have to close this debate and get to voting some responsible, sensible campaign reforms that the American people want of us. We have the duty to accomplish it in this session of Congress.

Everyone knows the other body is not going to go along with some of the things we have voted for here, but I have said privately to some colleagues in this body that what we have been doing will not sell. It will not wash. It makes good headlines. It pleases people who say, "You are doing 100 percent. Perfect. You are good and pure." But it will not pass. Do we want to get results that will remedy the infection in our body politic, or do we just want to talk, talk, and talk, and have an issue to try to go out and prove that we were purer than the other fellow?

I think the proposal before us does the job that needs to be done. It will give us some results. It will permit both the sensible use of public financing on the one hand and include private small contributions on the other. If the American political process is going to be corrupted by \$100 contributions, then we have already gone down the drain. It is not going to corrupt the American political process.

Further, I think we should know that public financing in other countries has not been on an individual basis. We ought to make the record quite clear on that. Public financing of campaigns in countries like Great Britain, the Federal Republic of Germany, and others, goes to political parties that are highly organized, disciplined party units under the parliamentary system. There are not many Senators who want public financing just coming to the political party. Many of us hope to run independently and hope that people from both parties will join in putting us in office.

So what we have before us, I think, is a reasonable adjustment and compromise. In this day and age anybody who says "compromise" may be condemned, but the whole system of this Government is based on intelligent

compromise. That is the way we got our Constitution, and I am not going to be driven to the wall by somebody who says that if one compromises or if he trims down a little bit, somehow or other he has sold out. We are not selling out, but we are not going to permit people to buy in, either.

What we are doing is trying to do a job that needs to be done. We have been up this hill and down this hill a half a dozen times, and we have as yet very little to show for it. The chance is now before us to have something to deliver to the American people.

I would have hoped, as I said to the Senator from Illinois and to the Senator from New Mexico, that we might have had in the Presidential fund 50 percent public financing. I do not think there is anything particularly magical about 40 or 50 percent, but I would have thought it might have been a better figure. Be that as it may, the issue before the U.S. Senate is simply, Do you want to have a continuing issue on which there are no results, or do you want to have results and be able to build on that from practice and experience? I think we have the chance now to get results and to cleanse the stables of American politics and to get away from the demeaning and disgusting business of going out and raising millions of dollars of campaign funds from huge contributions and then having somebody point the finger at you and saying, "You are a crook or can't be trusted."

I think the Senate of the United States ought to face up to the fact that, whether big money is the source of corruption, it is the source of growing suspicion, and a big country like ours cannot live on suspicion and distrust. We have to implant into the system trust and confidence, and remove distrust and cynicism.

The amendment proposed by the Senator from Illinois—and I compliment him for his practicality—will remove doubt and suspicion and cynicism and it will put us on the high road to a cleaner system of politics that will involve both private and public financing and public participation.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CRANSTON. I want to say that the Senator from Minnesota has stated very, very eloquently the reasons for my supporting this bill and why it should be enacted.

In relation to the pending amendment, I would like to compliment the Senator from Illinois, the Senator from New Mexico, and the Senator from Ohio for coming up with a formula that I think deals with two very important aspects of the measure now before us in ways which I think had not been handled in the most appropriate way in the measure in its present form.

First, I am very concerned about the first amendment's right to express oneself not only by what one says, but by what one does. I fear 100 percent mandatory public financing would deny that right to individuals who wish to speak out

by making contributions—hopefully small contributions—which we will be moving to under this measure.

Second, I think it is very important to reduce the overall cost of public financing so that the measure cannot be subject to attacks that it is costing too much or that it is a raid on the Treasury. I do not believe that it is either of those two things, but I do believe that this amendment, by reducing the total cost of public financing, serves a valuable purpose in that respect, as well as contributing in other respects. For these reasons I am glad to join the Senator from Illinois (Mr. STEVENSON).

Mr. ABOUREZK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. ABOUREZK. By way of information, does the existing legislation require mandatory public financing? Is there not a provision that allows for small contributions to be raised?

Mr. HUMPHREY. Yes; in the congressional.

Mr. ABOUREZK. How about the Presidential?

Mr. HUMPHREY. One hundred percent.

Mr. ABOUREZK. It is optional, as I understand it.

Mr. HUMPHREY. Yes, optional. But this is mandatory. The subject matter of the Stevenson amendment is a mandatory provision. That is the difference.

Mr. ABOUREZK. But existing legislation does not prevent small contributions from being made?

Mr. HUMPHREY. The Senator is right in this instance. But in congressional elections, it is optional.

Mr. ABOUREZK. I wonder what all the fuss is about concerning small contributions being made under existing legislation. It seems to me that this amendment is being sold on the basis that people cannot contribute small amounts, and thereby take part in the public process. If what I read is correct—I wish the Senator from Illinois were in the Chamber—25 percent for congressional elections will be publicly financed and raised, and also be raised with small contributions.

Mr. HUMPHREY. For matching, 25 percent is the immediate amount one is entitled to, and the rest is under a matching formula.

Mr. ABOUREZK. What is it in the Presidential race?

Mr. HUMPHREY. The same thing. Forty percent is immediately public financing under the formula in the bill, and the balance, as I think the Senator from Ohio would tell the Senator, up to \$250,000 is matching. In other words, if one gets \$250,000 in contributions, he gets \$250,000 in matching.

Mr. ABOUREZK. If one is a challenger in a race against an incumbent, he does not have access to the sources of contributions that many incumbents have, such as the various committees around the country—the labor committees, and so on. He has to have a very large mailing list in order to keep up with what the incumbent has already raised. Is that a correct statement?

Mr. HUMPHREY. The formula for the primaries remains the same as it is in the bill.

Mr. ABOUREZK. But it would be very tough for a challenger to raise the money under this provision.

Mr. HUMPHREY. I do not think it would be any tougher than it is now.

Mr. ABOUREZK. It would be a great deal easier if he had a mailing list, because the limit placed on contributions is much stricter than it is now.

Mr. HUMPHREY. I appreciate that the limit is \$3,000 for an individual and \$6,000 for a group contribution, whether one is an incumbent or a nonincumbent. Matching funds are exactly the same. If one is a challenger in a Senate race, it is \$100 matching funds to \$100—up to \$100—but he gets 25 percent right off the top of the table, so to speak.

Mr. ABOUREZK. But an individual could count on only \$200 in a congressional race.

Mr. HUMPHREY. The Senator is correct; whether he is an incumbent or a challenger.

Mr. ABOUREZK. If he is a challenger, he would not have access to those sources of money I have referred to. He would be out of luck, so to speak. If I might just say if I might offer an observation, that this is not an incumbent's amendment. But a challenger would have a difficult time raising money to challenge an incumbent.

Mr. HUMPHREY. Not one bit more.

An incumbent has some advantages, but he also has some disadvantages. There are the yea and nay votes. There are no "maybe" votes. If he is out in the countryside, he can say, "Yes, that is a reasonable position. I am sympathetic to that position." "But I do feel you have merit in your position."

But if one is an incumbent, they say "Thank you very much but you voted 'nay' or you voted 'yea'." There is not a great deal of advantage when in riding off on a white horse with a great big spear. When one is a challenger, he can always say "maybe." Gee, I have always wished that we had a vote, not "yea," or not "nay," but "maybe." Would I not be the happiest Senator?

Mr. ALLEN. Mr. President, I should like to ask the distinguished Senator from Minnesota a question. It looks as though, with the 25-percent financing, even in congressional races, and the matching thereafter to be a maximum there would be a matching of 62.5 percent in Federal funding.

Mr. HUMPHREY. That would be the maximum only.

Mr. ALLEN. Actually, that would be the maximum only, so what the minimum would be would be a sort of bargain basement 37.5 percent discount amendment to the American taxpayer. Is that about the size of the amendment?

Mr. HUMPHREY. That is good. I might say that in this time of inflation, that is a welcome discount.

Mr. ALLEN. The Senator is giving the American taxpayer a 30-percent discount in the bill.

Mr. HUMPHREY. He gets something else. The Senator has a way of capsu-

lizing some of these issues. We are giving the taxpayer something else. We are giving him good, clean politics. We are removing the element of doubt and suspicion.

Mr. ALLEN. Does the Senator feel that candidates would be subject to improper influences during their campaigns?

Mr. HUMPHREY. I have never believed; but I will tell the Senator that a great many folks I know do believe that. I do not happen to believe it, but I believe the Senator from Alabama makes a valid point. But I wish I could convince everybody who writes to me.

Mr. ALLEN. The Senator said that in being for this amendment he had to resist certain entreaties and demands certain pressure groups that were demanding all or nothing, I believe the Senator said. I want to commend the distinguished Senator for not being completely in the pockets of those pressure groups.

Mr. HUMPHREY. I thank the Senator.

Mr. ALLEN. Some Senators are not quite as brave as the distinguished Senator from Minnesota.

Mr. HUMPHREY. Sometimes bravery is only rewarding this body by blows, injuries, and defeats. I have suffered a little of that in my life. One more will not hurt, so long as it is not final.

Mr. ABOUREZK. Mr. President, I think I have the floor.

Mr. HUMPHREY. Mr. President, I have the floor, but I shall yield the floor so that the Senator from South Dakota may continue with his argument in support of the amendment.

Mr. DOMENICI. Mr. President, will the Senator yield for an inquiry?

Mr. DOLE. Mr. President, a parliamentary inquiry. Has any time been set to vote on this amendment?

Mr. MANSFIELD. There is no time limitation on this amendment. I assume there will be plenty of time.

Mr. DOLE. Before the vote on cloture?

Mr. MANSFIELD. Before and after the vote on cloture.

Mr. ABOUREZK. Mr. President, I yield to the distinguished Senator from New Mexico.

Mr. DOMENICI. Mr. President, I should like to take a few moments to explore and to inquire about what the aspects are and whether the Senator from Alabama's 62.5 percent is indeed what would really happen.

First of all, there is an incentive to give some small contributions in the congressional races—\$100 for small contributions. However, in congressional races one is entitled to receive contributions up to \$3,000. However, of this amount, only \$100 is matched, unless someone were to receive his entire campaign contributions in amounts of \$100 or less. Then he would have less than 62.5 percent Federal tax dollars involved. If one went out and got \$10, \$15, or \$20 thousand raised in small contributions of \$100, only \$100 of each would be credited to matching; \$900 each would go in the campaign fund would be part of the total in arriving at that which he could spend. But to the extent it was in excess of \$100, it would not be matching. So the idea is that 62.5 percent is the absolute

maximum. So there will be contributions in addition to the 62.5 percent.

The same reasoning applies to the Presidential campaign, \$250 is matched. You can receive \$3,000 contributions, but to the extent that you are successful in garnering contributions over \$250 from private sources, all of that extra money is charged to your total allowable, but is not matched with Federal dollars.

I would also say to the Senator, who is wondering about incumbents and challengers, that in each of these cases the incumbent and the challenger would start with a 25-percent entitlement. The challenger today would have no certainty—I am speaking of today, without any public money—he would have no money to start his campaign, to do the things the Senator was speaking of, to get ready to go out and solicit contributions from the small contributor; but under this bill, he would start with one-fourth of that which he was entitled to, both to gear up for the campaign and to solicit large and small contributions looking toward his total amount, which is exactly the same for challenger and incumbent.

Mr. TAFT. Mr. President, will the Senator from South Dakota yield?

Mr. ABOUREZK. I yield.

Mr. TAFT. I would like to elaborate a little bit on a point made by the Senator from New Mexico. The Senator from South Dakota has expressed concern that the incumbent would automatically have access to more private financial support than challengers would have.

I point out that the matching factor of the \$100 limitation would probably eliminate that. Any challenger who is to have a reasonable chance is going to be able to go out and get those contributions up to \$100. That is the kind of contributions he can get. He might not have as much background and resources in getting larger contributions over that amount, and I think the Senator from South Dakota would be more properly concerned if we were matching gifts over \$100. But with the \$100 limitation or matching, it seems to me that there is not a very serious threat that any challenger with a reasonable chance of success is going to be put at practical disadvantage in relation to the incumbent insofar as that size of contribution is concerned.

Mr. ABOUREZK. Mr. President, I do not think in my State of South Dakota, for example, that there would be any difficulty for a challenger to raise the small amount necessary, but I wonder if the same is true for New York, Ohio, or any of the larger States. It seems to me that it would be extremely difficult to get that many small contributions in such States.

Mr. TAFT. We have all been challengers at times—

Mr. ABOUREZK. I was born an incumbent; I was never a challenger.

Mr. TAFT. I would think that, with the limitations introduced by the Senate, the amounts necessary for a reasonably financed campaign could be provided. In fact, that is about the kind of amount they could come up with.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ABOUREZK. I yield to the Senator from Iowa.

Mr. CLARK. Mr. President, I rise to oppose this amendment because I think it could mean the total destruction of what we have accomplished in public financing here in the last 10 days.

An amendment such as this ought not be taken lightly. It ought to be discussed at considerable length, because it flies in the face of the Rules Committee bill and the compromise worked out there.

We have heard about the necessity to compromise. That is exactly what this bill is—it is a compromise. No one is totally happy with it. But to compromise it further and further, and above all, not even to allow the option of public financing, really destroys the intent of the Rules Committee bill.

The committee spent a great deal of time considering the need for public financing and the best method to achieve it. The result, S. 3044, is an excellent bill which represents a balanced view and a considered view. This amendment would clearly undo the Rules Committee effort.

By passing this amendment, the Senate would be reversing many of the gains that it has made over these last 10 days. We cannot now suddenly now change our minds about the alternative to total public financing—not on a few hours notice with a few minutes debate. The majority of the Members of the Senate clearly support public financing, and they have expressed that sentiment time after time.

Let us adopt cloture. Let us show the people we represent that we are committed to reforming a tired and treacherous system of private financing.

By agreeing to this amendment, we would be going back after we have accomplished so much, and saying, "We want more private money." That is particularly true in the Presidential race. Right now, the law says that the 1976 Presidential election will be totally financed by public funds. If we agree to this amendment, we will go back to a system—

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. TAFT. I would like to call to the attention of the Senator from Iowa what I think is a misunderstanding on the Senator's part.

The language of this amendment is not such that a candidate for Congress or the Presidency would be foresworn from deciding to take any public funds if he decides to do so. It just sets up a formula if he wishes to take up the public financing. If he desires, he would receive the public funds; there is no difference from the Rules Committee bill in that respect.

Mr. CLARK. No; I do not think there is no misunderstanding. The amendment would forbid any candidate from taking total public financing in any general election.

Mr. TAFT. The Senator is correct if that is his impression. I was afraid that the Senator was under the impression

that there was not an alternative, because such an option does exist under the amendment.

Mr. CLARK. No; I understand that, and that a candidate, if he could raise the money on his own, could get up to 62.5 percent in the case of congressional elections or 75 percent in Presidential elections.

But the law already says that in the 1976 election there will be total public financing of the Presidential election. If we pass this amendment, we are going back and saying, "You must have private money, at least to the tune of 30 percent, in Presidential elections."

To insist on having greater private financing in elections is not a step in the right direction, especially not after what has happened in the last 18 months.

Mr. CRANSTON. Mr. President, will the Senator yield to me for a unanimous-consent request?

Mr. CLARK. I yield.

Mr. CRANSTON. Mr. President, I ask unanimous consent, on behalf of the Senator from Minnesota (Mr. MONDALE), that Jim Verdier, of his staff, may have the privilege of the floor.

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

Mr. COOK. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Kentucky.

Mr. COOK. My problem is the same as that of the Senator from Iowa and the Senator from South Dakota. I cannot figure out whether this amendment is fish or fowl.

I think we are debating whether we should have public financing. If so, let us vote that issue up or down, and let the country appreciate what we are doing. If Senators will pardon the use of an old country expression, this is like being a little bit pregnant; I cannot figure it out. This seems to be a method of trying to get cloture so that we could consider something like this, and after cloture is obtained, to almost emasculate the bill we have all worked on.

I have many problems about public financing, and the Senator from California says he has some problems with first amendment rights. But, Mr. President, the bill we debated, modified, adopted overwhelmingly, and sent over to the House last year took the first amendment and wrapped it around every tree and every telephone pole from precinct to precinct.

I must say that I agree wholeheartedly with the Senator from Iowa that what we are really saying now is, "Let us give ourselves some kind of mixed bag," and we are holding that mixed bag until after 4 o'clock to see what the result is. The beginning is rather frightening.

We are saying that somehow or other we are putting on a limitation, and a man can only get matching funds on \$100 or less, and the President on \$250 or less, after he has got so much money. All he has to say to people is, "Don't write me a check of over \$250 or over \$100; get all the kids and grandchildren

to write me checks for \$100 each, so that we can get it matched," and the Federal Government can do it.

Several Senators addressed the Chair. Mr. COOK. I yield to the Senator from Iowa, because we are going to quit at 3 o'clock. But I think when we take this up after the cloture vote at 4, regardless of the outcome of the cloture vote, we ought to decide whether we are going to join the Senator from Alabama (Mr. ALLEN) and say there shall not be any public financing in the United States, or say with the House of Representatives, "Let us try public financing and see whether it works." If it does not work, certainly Congress can change it. But let us not take some crazy amalgamation that no one of us can understand or comprehend and I doubt very seriously whether any American voter will comprehend.

I thank the Senator from Iowa.

CLOTURE

The PRESIDING OFFICER (Mr. HELMS). Under the previous order, the hour of 3 o'clock having arrived, the Senate will now proceed to debate the question on invoking cloture on S. 3044, with the time to be equally divided and controlled between the Senator from Alabama (Mr. ALLEN) and the Senator from Nevada (Mr. CANNON).

Who yields time?

Several Senators addressed the Chair. Mr. MANSFIELD. Mr. President, I yield myself 1 minute from the time of the Senator from Nevada to ask, what is the parliamentary situation after the vote on cloture is concluded?

The PRESIDING OFFICER. It depends on the vote, but we return to the amendment of the Senator from Illinois (Mr. STEVENSON).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of that vote, the distinguished Senator from Illinois (Mr. STEVENSON), the author of the amendment, be recognized.

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

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts will state it.

Mr. KENNEDY. Is it in order for me to send an amendment to the desk to the amendment of the Senator from Illinois (Mr. STEVENSON)?

The PRESIDING OFFICER. Yes; if someone will yield to the Senator.

Mr. KENNEDY. Further, Mr. President, would the amendment to the amendment of the Senator from Illinois then be the pending business?

Mr. TAFT. Mr. President, a parliamentary inquiry—

Mr. KENNEDY. I send an amendment to the desk—

Mr. TAFT. Mr. President, the hour of 3 o'clock having arrived, not calling for a vote at this time, I would suggest that the action of the Senator from Massachusetts is not in order without a unanimous-consent request being granted.

The PRESIDING OFFICER. There is no order for a vote at this time, but for 1 hour of debate on the cloture motion, to be equally divided between the Sen-

ator from Alabama (Mr. ALLEN) and the Senator from Nevada (Mr. CANNON).

The clerk will state the amendment of the Senator from Massachusetts to the amendment of the Senator from Illinois.

The legislative clerk read as follows:

In the amendment proposed by Mr. Stevenson;

Amend subsection (b) (1), proposed to be inserted on page 10, beginning with line 17, to read as follows:

"(b) (1) Every eligible candidate who is nominated by a major party is entitled to payments for use in his general election campaign in an amount equal to—

"(A) in the case of a candidate for election to the office of President, 100 percent of the amount of expenditures the candidate may make in connection with that campaign under section 504, and

"(B) in the case of a candidate for election to the office of Senator or Representative, the sum of—(1) 25 percent of the amount of expenditures the candidate may make in connection with that campaign under section 504, and

"(ii) the amount of contributions he and his authorized committees received for that campaign."

At the end of paragraph (6) in such subsection, insert "or (B)" before the period.

The PRESIDING OFFICER. Who yields time?

Mr. ALLEN. Mr. President, I yield myself 6 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 6 minutes.

Mr. ALLEN. Mr. President, it is quite obvious that cloture should not be invoked on this bill. The very pendency of the amendment of the Senator from Illinois (Mr. STEVENSON), joined in by the distinguished Senator from Minnesota (Mr. HUMPHREY), shows clearly that there is no strong unanimity of opinion as to the bill the Senate should agree upon. For the first time, this monolithic bloc of Senators who are determined to get public financing has shown some signs of breaking up, so that the issues can be determined on their merits.

Earlier today, the Senate reduced the amount of permissible contributions in a Federal election—that is, House and Senate, Presidential nomination, or Presidential general election, by 20 percent.

Now, Mr. President, this amendment of the distinguished Senator from Illinois and the distinguished Senator from Minnesota would give a further potential 37.5-percent reduction in the Federal subsidy in congressional races, and a 30-percent potential reduction of the Federal subsidy in Presidential races.

So, Mr. President, for the first time, amendments are coming in that are being considered on their merits and not in the rush pell mell to ram this public subsidy, this taxpayers' subsidy bill, through the Senate.

Well, Mr. President, if the Senate will vote to allow this debate to continue, it may well be that we will end up with a fairly decent campaign reform measure.

The pending bill, S. 3044, is not campaign reform, that is, that aspect of it having to do with the Federal subsidy is not. Is it campaign reform merely to say that we will turn this bill for the campaigns of Members of the House and

Senate and the Presidential nomination and the general election campaign over to the American taxpayers?

That is changing the system, Mr. President, but it is hardly reform.

Reform would be to cut down on the amount of the overall expenditures, to cut down on the amount of individual contributions.

Mr. President, the Senator from Alabama has been trying day by day to get the overall permissible expenses reduced. That was accomplished today. The Senator from Alabama has an amendment that he will put in—already filed at the desk—seeking to reduce the amount of individual contributions in the various races.

So, Mr. President, with the discount bill of the distinguished Senators, giving this further reduction in the amount of the Federal subsidy pending, the Senator from Alabama believes that it would be a great mistake to cut off debate when we are now having an exchange of ideas and not just voting by bloc.

One of my distinguished friends in the Senate, in voting for the amendment cutting the permissible expenditures by 20 percent, indicated that possibly that was the first time in 5 years he had voted for an amendment which had been proposed by the Senator from Alabama. But it is indicative of the fact that Senators are beginning, for the first time, to determine these amendments and these measures on their merits.

If we will fail to vote cloture—if we will vote against cloture this time—it is hoped that the distinguished majority leader will set the bill aside.

It would be the better part of wisdom, since dire predictions have been made on the floor of the Senate as to what the House will do, to wait until the House acts on S. 372, which is pending in the House now and does not provide for a single penny of Federal subsidy. The House may want to go along with that.

Why does the Senate want to change its position? It was against a Federal subsidy by a record vote in the Senate back in July when we passed S. 372.

So, let us see what action the House takes on S. 372. Let us see what action they take, if any, on public financing. But financing by the taxpayers of this Nation and paying up to \$7.5 million for each candidate for the Presidential nomination of the two major parties—and that is what the bill would permit—that is not campaign reform, in the view of the Senator from Alabama.

So, Mr. President, I hope that upwards of 33, 34, or 35 Senators will vote against invoking cloture so that we can get down to debating some of the issues on their merits, which apparently Senators are more willing to do, at this time, than ever before during this debate.

Mr. President, I feel that this statement of mine may not do the amendment a great deal of good, but the amendment offered by the distinguished Senators from Illinois and Minnesota is a good amendment and moves in the right direction of eliminating Federal subsidies. It does not eliminate enough. It eliminates 37.5 percent in congress-

sional races in general elections and 30 percent in Presidential elections, which is a step in the right direction.

If we stay here a few more days and debate this issue we may eliminate public financing altogether.

Mr. President, I reserve the remainder of my time.

Mr. COOK. Mr. President, having been on the floor a good deal in the course of these debates, I would hope that the Senator from Alabama would not take offense if I said that when he says we are now voting on the merits, I think maybe in some instances we are not voting on the merits, but voting on exhaustion.

I stand here, on this side of the aisle, as a member of the Republican Party, and I hear the Senator from Alabama say that it is going to cost the taxpayers of the United States \$7.5 million to help finance Presidential campaigns.

We should remind the Senator—and we have all been reminded of it very much—that we in the U.S. Senate have already appropriated almost \$6 or \$7 million of the taxpayers' funds to the Watergate Special Investigating Committee. The House has given itself a million dollars or more and will give itself more. I suppose the Federal court system will spend a few million dollars in impaneling grand juries and bringing in indictments. That will all be spent, and it will all be taxpayers' money, and it will be done to seek a remedy for what occurred as a result of the Committee to Reelect the President.

Some other cases have been brought up of some gentleman on the other side of the aisle who received funds in that campaign during 1972 who either failed to report them or took some other action—perhaps some paid them back or something or other.

But I have to say to the Senator from Alabama that when we speak of how much money we are going to save the taxpayer, the best analysis we have to make is the analysis of the system as we look at it today. We have seen some remarkable people in the United States, very fine businessmen, who, by reason of some degree of sweet persuasion on the part of some people in the political system, made corporate contributions. They have been fined; their corporations have been fined. Yet, we have not stopped that. Probably, in the long run we have an opportunity to save the American taxpayers much money.

As I say, I am a strange person to stand here and talk this way, because I have very serious reservations about this. But I believe that we can try it; and if it does not work, we can get rid of it. That is the legislative process; that is the way we function in this country.

When a few problems occurred with daylight saving time, it did not take very long for enthusiastic supporters of daylight saving time to come to the floor with support for getting rid of daylight saving time. I expect that we will do that in short fashion, and we will realize that we have made mistakes.

So I say to my colleagues that we see here an opportunity to try something different. We see an opportunity that some people in the Nation like and that

some dislike. Some people are violently opposed to it.

With all due respect to the Senator from Illinois, the amendment that will be pending at 4:10 or 4:15 is another effort to mollify a proposal that I know some of the supporters do not really enthusiastically feel ought to be a part of the law; but they feel it is a way to compromise. I doubt seriously that those amendments have all the meritorious effect to which the Senator from Alabama alluded.

The Senator from Alabama just said that he was delighted, for example, that the amendment was before the Senate, because it was a way to save money and it was a way to change the basic formula of the bill, which he does not like. But I have a notion that even if the amendment by the distinguished Senator from Illinois (Mr. STEVENSON) and Senator HUMPHREY, Senator DOMENICI, Senator TAFT, Senator CRANSTON, Senator BEALL, and Senator MONDALE is adopted, the Senator from Alabama will not vote for this bill on final passage. So it is slight praise for the amendment, in all fairness.

I am going to vote to end debate, because I think we ought to get on with the legislative schedule. What really bothers me, may I say to the Senator from Alabama, is that we have already sent one bill over to the House of Representatives, and the bill is lifeless; and I am afraid that if we send this bill over, it also will be lifeless. To that extent, I think that the pressure by the people of the United States should not particularly be on us but should be on the Members of the House of Representatives to do something in regard to campaign reform.

We have talked here on many occasions about these elections, and it has been my contention that the first thing we should do and the first thing the House should do is to pass the bill we sent them to reduce the time for campaigning. If, in fact, we established our primaries in August, established our national conventions in the first week in September, we would not bore the American people totally and completely to death by campaigning for a year or two.

When we talk about how much money it costs to run for office in California and New York, I am of the opinion that if we are talking about a million dollars in a primary, there is no way that one could spend a million dollars if his campaign for the primary were 8 weeks long. It would be the last week of August, the 4 weeks of September, and the 4 weeks in October. That would be 9 weeks, basically. I do not see how tremendous sums of money could be spent. I do not see how candidates in my State, for example, could spend \$900,000 or more, as they did the last time they ran, if they were campaigning for 9 weeks. It is easy to spend that much when you have a primary in May and all of a sudden you are off and running. Some States have primaries in January.

Part of reform really is to eliminate the necessity for long campaigns. We have that proposal in the House, and we cannot get anywhere with it.

I voted to end debate before. I will vote

to end debate again today, because I am afraid that what ultimately will be a result of this continuation, what we will really wind up with, is an emasculation of the matter, something no candidate in the United States will be able to live with, whether incumbent or challenger. We will wind up with an abomination. If a challenger really wants to be a sound challenger, the first thing he will have to do will be to get an office full of lawyers and CPA's and have them on duty at all times. He will have to have somebody who does absolutely nothing but live with a timetable as to when and how much he has to report and to whom he has to report. All this will be mixed in at the same time with whether this is entitled to a Federal matching fund or whether this is not entitled to a Federal matching fund; whether he made his last report so that he can get his next report; so he can get his contribution based on what he has collected in the last month.

In that whole conglomeration, I think the American people will not be able to view a campaign but will be able to view candidates who are spending all their time seeing whether or not they are abiding by the law.

Therefore, I believe we ought to end debate and send some kind of bill to the House, so that the American people can have an understanding that we can bring things to a conclusion; that we do not act on exhaustion but in fact on merit; and I have a notion that exhaustion prevails at this time.

Mr. President, I yield such time to the Senator from Kansas as he may desire.

Mr. DOLE. Mr. President, I thank the distinguished Senator from Kentucky and share his view that it is time the Senate went on to something else. When we consider that we spent a number of days on whether we should have a pay raise and have spent more than 2 weeks on whether the Treasury should finance our campaigns—both of which measures I opposed—I think that it is time we went on to something else.

I am against public financing. But I am also against spending the rest of this month on this legislation, so I intend to vote for cloture as I did previously.

Also I would suggest with reference to the timing of this bill and the proper procedure for considering legislation in the Senate that this bill is before the Senate at the wrong time. I recall the opening statement of the Senator from North Carolina (Mr. ERVIN) and the Senator from Tennessee (Mr. BAKER) on the first day of the Watergate hearings on May 17, 1973. The distinguished Senator from North Carolina said:

Of necessity the committee's report will reflect the considered judgment of the committee on whatever new legislation is needed to help safeguard the electoral process.

The distinguished Senator from Tennessee said:

This committee was created by the Senate to—find as many of the facts, the circumstances and the relationships as we could, to assemble those facts into a coherent and intelligible presentation and to make recommendations to the Congress for any changes in statute law or the basic charter document

of the United States that may seem indicated.

The Watergate Committee was charged with the job of advising the Senate on campaign reform legislation. The committee's report is not due until May 28, and the deadline may be extended if there are other areas to investigate. But the thrust of Senate Resolution 60, at least as the Senator from Kansas viewed it, was to delve into the election of 1972, let the chips fall where they may, and then come forward with a report and recommendations for legislation to be passed by Congress based on that report.

It seems to me that the legislation before us is premature. The amendment just offered by a group of distinguished Senators seems to indicate a lack of any strong feeling for public financing. But as much as I oppose the concept I believe it should be disposed of, because there is much more to do in this session. I believe the people in my State would like me to come home during the Easter recess and talk about something other than how much tax money the Senate has been able to get of the public Treasury for its campaign, or if we have been able to procure a pay raise, and things of that kind. They are more concerned about taxes, gasoline, inflation, and the possibility of impeachment than the financing of our campaigns.

Having said that, I shall vote to shut off debate and thereafter offer a substitute to the pending legislation. The junior Senator from Kansas believes that if we give the legislation passed in 1971 a little time, if we make full disclosure of our contributions and expenditures and strengthen other features of the present law there will be great and constructive change in the American political system.

I have great faith in Members of Congress in both parties, in their integrity, honesty, and character, and I do not believe we purify politics by placing it in the public Treasury.

Mr. COOK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 16 minutes remaining.

Mr. COOK. Mr. President, I yield 5 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. CLARK. Mr. President, on February 1 of this year the distinguished majority leader (Mr. MANSFIELD) said:

We shall not finally come to grips with the problem except as we are prepared to pay for the public business of elections with public funds.

Mr. President, it has been 18 months, now, since a small group of men broke into the Democratic Party's national headquarters setting in motion what has become the most serious and devastating episode of political scandal and corruption in this country's history. Since that day in June, the revelations and criminal charges have not stopped—bribery, perjury, illegal wiretapping, burglary, and a score of illegal campaign contributions.

Through the efforts of the Special Prosecutors' Office, the Senate Select Committee, Judge Sirica, and the grand

juries and now the House Judiciary Committee, everyone knows just how widespread the disease has been. The evidence is not all in, of course, and the investigations and trials will continue. But the people of this country have heard enough and seen enough to expect that something be done to change the political practices that allowed this to flourish. They expect a significant change and they expect the Congress to make it, if only because the administration certainly is not going to lead the reform effort.

A few weeks ago, we listened to the President's reflections on the state of the Union. It was ironic that he would ignore one of this country's most critical problems: the public's widespread, growing distrust for public officials and Government. It is not enough to proclaim: "One year of Watergate is enough," and then to say that we should end the investigations before they are complete; and to "get on with the business of the country" is to say that trying to prevent political corruption is not the country's business. Unfortunately, it is very much a part of it.

Like political corruption, the liabilities of a political system like ours—based on private financing—are not limited to the executive branch. The impact of the private dollar on the legislative process has been pervasive, and there probably is not a single Member of the U.S. Congress who has not felt it or wished that it might be changed.

Many people across this country, feel disillusioned, frustrated, and angry. They are upset about the energy situation and the high profits of the oil companies, but they become even angrier when they learn that oil companies financed a significant part of the President's reelection campaign. As a result, people do not trust the administration—or Congress, for that matter—and they do not believe that the Federal Government can even deal with the energy emergency, the inflationary economy, and any number of problems that face the Nation today.

They strongly suspect that Government's principal interest is not their interest. And that suspicion is gradually becoming disdain and apathy. Already this country has the lowest voter participation of any country. The events of the last year have had their strongest impact upon young people, and I am terribly afraid that unless we move decisively to improve the political process, to make it more responsive, more and more young people are going to stay away from Government and public service. If they do stay, if they do decide that the political process is simply not worth the effort, what is this country going to be like 20 years from now?

At the heart of that public distrust is a fundamental suspicion of the political process that provides for the election of public officials heavily dependent on private contributions. "You don't get something for nothing," as the saying goes, and too many people have applied to Government.

Mr. President, late in December, the Senate recognized the problems of the present system and came very close to

passing a limited public financing proposal, one advanced by Senator KENNEDY and Senator HUGH SCOTT of Pennsylvania, with the support of a number of Senators who have introduced their own public financing legislation.

If the need for public financing was well-established then, it is even more so now. This is a new year, and it presents new opportunities for improving the political process that has been so crippled over the last 18 months. If we do not take advantage of the opportunity, the result may be even more tragic than the legacy of Watergate. In just a few minutes, Mr. President, the Senate will have yet another opportunity to change and improve the political process.

We have been debating S. 3044 and the concept of public financing for Presidential and congressional elections for more than a week now. A majority of the Senate supports the bill and the concept. It is time to end the debate, adopt cloture, and pass this historic legislation.

Mr. COOK. Mr. President, I yield 5 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I am extremely hopeful that the Senate will end this debate and permit the Members of this body to act on the committee bill and the amendments at the desk. A thoughtful, constructive, and imaginative proposal for clean and honest government has come from the Committee on Rules and Administration. It has the substantial support of Members on both sides of the aisle, Democrat and Republican alike, and it deserves to go forward to a final vote.

This issue has been amply debated. The fundamental issue goes back to the discussions and debates which took place here in 1966 and 1967, again in 1970 and 1971, and once again last year as an amendment to the Debt Ceiling Act.

There are no new issues to be discussed. There may be some variations in the formulas or changes in the percentages, and so forth, but there are no new issues to be further debated or discussed. The Committee on Rules and Administration acted in a responsible way in considering all the various alternatives. They provided remarkable flexibility in the construction of this legislation. Those seeking public office may take advantage of the public financing provisions, or they may reject them, rely on private financing for their campaigns.

The bill provides this flexibility. It provides an element of voluntarism for Members of the Senate or the House, and for challengers. The public will understand if candidates choose one form or the other. It does not force anyone to adopt any particular method of financing his campaign.

Above all, the bill provides a significant legislative answer that we in Congress can make to the Watergate tragedy. It has been said of our political system that it is the best system that money can buy. That is a tragic indictment of a system that has served this country well for 200 years. I think any of us who have run for public office understand the sinister forces at work in the field of campaign contributions.

So, Mr. President, I am hopeful that

the Senate will act this afternoon. As I mentioned, this issue has been debated. I think it is to the credit of the members of the Committee on Rules and Administration that there is strong support for it by Democrat and Republican alike. It is really the best opportunity we have to try to restore some degree of confidence on the part of the American people in the election system.

The proposal has been criticized on the ground that it is going to cost millions of dollars, \$90 million a year and \$360 million over a 4-year period. That price tag is a bargain. It is the equivalent of only one-tenth of 1 cent a gallon of gas. That is all the American public pays.

The committee bill makes sense. I believe it would be the soundest investment of taxpayers' funds that Government can make. I think we have the responsibility to act on this proposal this afternoon. The debate has really been completed. It is high time to move ahead and end the debate.

Mr. COOK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COOK. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. COOK. I reserve the remainder of my time.

Mr. ALLEN. Mr. President, the Senator from Kentucky, in starting his remarks a moment ago, said that the Senator from Alabama had said this measure would cost the Treasury \$7.5 million in the Presidential race. Well, either the Senator has not listened to what the Senator from Alabama has said, or he is not familiar with the contents of the bill, but what the bill will do is provide up to \$7.5 million for each person who seeks the Presidential nomination of either of the major parties and who is able to get a starting fund of \$250,000 in contributions of \$250 or less. Actually, there are some 8 or 10 potential candidates for the Presidency here in the Halls of Congress. So really, to get the figures of what the Presidential nomination contest would run, it could run up to \$75 million or \$100 million, because Senators can rest assured that there will be a whole lot of special interest groups espousing the candidacies of various people, because it would take just a campaign fund of \$250,000 to start getting one's hand in the Public Treasury.

The Senator from Kentucky also talked about a lot of people being in court, convicted, one thing and another, in connection with Watergate, and that this bill is necessary to cure the evils of Watergate. Well, the way to do that is not to put one's hand in the public Treasury, but the way to do that is to cut down on the amount of authorized expenditures and cut down on the amount of permissible contributions. The Senator from Alabama has been trying to do that all along, but without the help of the distinguished Senator from Kentucky, who has been voting against these amendments.

The Senator from Alabama tried to get an amendment adopted that would

have cut contributions down to \$250 in Presidential races and \$100 in House and Senate races, but with little help from those who say they are for reform. I submit it is not reform just to turn the bill for political campaigns over to the American taxpayers. What would constitute reform would be to cut down on the amount of overall contributions, to cut down drastically on the amount of individual contributions, provide for strict disclosure and reporting of all contributions and expenditures, and set up an independent election committee.

We passed such a bill and sent it over to the House last year, without the benefit of any public funds. I would feel that if we would stand firm on that theory of campaign reform, we would eventually get a bill.

I want to appeal now to the distinguished sponsors of the pending Stevenson amendment, Senators STEVENSON, HUMPHREY, DOMENICI, TAFT, CRANSTON, MONDALE, and BEALL. If these Senators expect to get the amendment that they have at the desk given any consideration with any chance of adopting it, then it would serve them in good stead to vote against applying cloture, because once cloture is agreed to, the great steamroller will bowl over this amendment, and they would end up with no amendment whatsoever. If the Senator from Illinois would vote against cloture, he would be in a commanding position to insist on the adoption of his amendment, and I submit that suggestion to the distinguished Senator from Illinois and his colleagues.

I was interested, too, Mr. President, in the remarks of the distinguished Senator from Minnesota (Mr. HUMPHREY), who talked about all this pressure from pressure groups that he was receiving by reason of being for this 37.5 percent discount amendment that he and Mr. STEVENSON have put in, because it would reduce potentially the Federal subsidy in congressional races, House and Senate, by 37.5 percent, and 30 percent in Presidential elections.

So apparently there are great pressure groups at work in behalf of public financing, and I think we know who those groups are. I see them in consultation with Members of the Senate from time to time. They have not consulted with the Senator from Alabama. However, there are great pressure groups involved here, as indicated by the statement of the distinguished Senator from Minnesota.

I would like to see the Stevenson-Humphrey-et al. amendment adopted, but we are not going to get it adopted if cloture is invoked. If cloture is not invoked, I think they can be sure that those who are for Federal subsidies would agree to adding the amendment. I think if the Senator is serious and is not just making a play on this amendment, but wants to get it adopted, he will vote against applying cloture, because before the debate was over, he would be able to get his amendment agreed to.

The distinguished Senator from Kansas says he is against a public subsidy bill, but is for cloture. Well, if there ever was a non sequitur uttered on the floor here, that is it, because if a person is

really against public financing, he would vote against cloture, because I have a feeling that the majority leader, if we were able to defeat cloture today, would not bring it up more than one more time. So the way to defeat it, I would say to the distinguished Senator from Kansas (Mr. DOLE), would be to vote against cloture. Then we will get on to something else earlier than if cloture were invoked.

The distinguished Senator from Kansas said—and this is what I really planned to say—that the Senate had spent quite a lot of time in considering pay raises for Senators.

The Senator from Alabama voted against the pay raises for the Senate 5 years ago and also voted against a pay raise for the Senate this year. However, the strong force of public opinion is what caused the Senate to vote against that pay raise. It was a modest pay raise—something like \$2,500 a year. It was the first pay raise in more than 5 years. However, the Senate, sensing the wishes and views of their constituents, voted against that pay raise and turned thumbs down on it.

If the people disapprove of a raise of \$2,500 for the Senators, what will they think about the provision of the distinguished Senator from California which provides for subsidizing the Senate race in his State, subsidizing each candidate for the Senate in a general election by \$2,121,000?

So if the people disapprove of a \$2,500 pay raise for the Senate, the distinguished Senator from California (Mr. CRANSTON) would not be covered by that law since it was passed during the term in which he was serving office.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. CANNON. Mr. President, I think the Senator from Alabama ought to recognize that his amendment was adopted. So the figure for California would not be \$2,121,000. It would be \$1,697,000 for the general election, in light of the Senator's own amendment.

Mr. ALLEN. I thank the Senator. The Senator from Alabama was so surprised that his amendment was adopted that he did not charge his memory with the figures.

So the Senator from California under the amendment of the Senator from Alabama would have to struggle along with a subsidy and a check for \$1,697,000 just as soon as he became a nominee. That is what he would have to struggle along with under the amendment offered by the Senator from Alabama.

If the public does not approve of a \$2,500 pay raise for the Senate, what is the public going to think of subsidizing a public campaign for the Senate in the amount of \$1.697 million. I do not think that they will approve of it.

So if we are going to shake together a bill—and it looks as though there is some chance of getting a better bill, because we have lopped 25 percent off the public expenses earlier, and the distinguished Senator from Illinois has an amendment that would chop off up to 37.5 percent of the Federal subsidy in congressional

ances, and up to 30 percent in Presidential races—maybe if the debate is allowed to continue a few more days we might be able to get an amendment through to withdraw 100 percent of the Federal subsidy.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. COOK. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 minutes.

Mr. COOK. Mr. President, first let me say that I was aware of the \$1.7 million for one candidate. In fact, I used it in terms of one candidate.

The Senator asks about the cost to the public. But what amazes me, when we talk about this, is that the public does not understand what is in the bill. It gives the public the impression that the minute one becomes a candidate they will write a check for \$1,700,000, and they will write it automatically.

If the Senator reads the bill, there is quite a procedure that one has to go through. There is quite an accounting to go through. He is not immediately able to put \$1,697,000 in his pocket and say, "All right. Now I am a candidate for the general election."

I must say in all fairness that we should at least equate the bill with reality. We did not work in the Rules Committee on the bill and, as a matter of fact, the Senator from Alabama worked hard along with us hard and arduously along with us. He has worked hard all along.

There is no question about how the Senator feels. And I must say that I respect him for how he does feel. I must say that we have been on the bill now for 2 weeks. And I am rather chagrined that the Senate of the United States must spend that much time on a bill that deals with the electoral process in the United States with regard to presidential candidacies and Senate and House candidacies. However, I do know one thing.

The Senator says that we could chop at this thing, that we are getting closer to it, and that we are getting smaller contributions and trying to get the candidates to get smaller contributions.

May I remind the Senator how we tried to get away from the tremendous subsidies to the great big farms in the United States and said that there would be a limit on the amount of subsidies that a man could get. However, a man could divide up a great big farm, and instead of getting \$100,000, for one big farm, he could get subsidies for a lot of little farms.

How many times have we done that in the past? Now, we say that we are trying to help the American taxpayer and see to it that no one can get over \$100.

How do we resolve that problem?

Somebody told me one time that he did not have trouble about getting the money for a campaign.

Somebody told me one time that he was never able to find out how many campaign checks he had given. He would

say, "How much do you want," and he went through checkbook after checkbook after checkbook writing check after check after check.

The ability to control this is the honesty of the man himself. Is the man going to be an honest candidate for public office, or is he not. That is the determination the individual makes.

Are the people that contribute to him going to be honest about the contributions they give?

I think that is a determination each individual must make for himself. I do not think it can be made in any other way. We have tried. There is over-reaction in this bill but over-reaction is better than no bill at all.

The reason that we have a bill considered in one branch and then in the other branch is so that the over-reactions can be ironed out.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLEN. Mr. President, has all time expired?

The PRESIDING OFFICER. The Senator from Kentucky has 2 minutes remaining.

Mr. COOK. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. If no time is yielded, time will run equally against each side.

Mr. ALLEN. Mr. President, how much time remains to me?

The PRESIDING OFFICER. The Senator from Alabama has 10 minutes remaining.

Mr. ALLEN. Mr. President, on July 30 of last year, the Senate passed by a vote of 82 to 8 S. 372. That bill provided a \$3,000 limitation on contributions. It provided that no contributions in cash could exceed \$50. It provided the same limitations that this bill formerly provided on the amount that could be expended; namely, 15 cents per person of voting age in the general election and 10 cents in the primary election.

During the course of the passage of that bill here in the Senate, an amendment was offered providing for public financing, and that amendment was defeated by, I believe, a vote of 52 to 40.

That bill is still pending in the House of Representatives, and before it is even acted on by the House, we have before us now S. 3044, which changes the entire thrust of the so-called campaign reform legislation. Whereas the bill that we passed last year, that is now pending in the House of Representatives, provided for financing in the private sector, the bill before us provides for public financing.

Mr. President public financing, letting the taxpayers pay the bill, requires a taxpayer to support a candidate with whose views and with whose philosophy he disagrees. Mr. President, we already have public financing in a sense. We have the checkoff. That is available for Presidential elections right now, and they say there is enough in the fund, or will be by 1978, to finance the campaigns of the major parties and of the minor parties.

Mr. President, the committee bill does not apply to Members of the House of Representatives and the Senate in the

1974 elections. It does not go into effect until the 1976 elections. So what is the hurry about the bill? Why ram it through the Senate now? Why not lay it aside and get on to other measures?

Mr. President, we have the checkoff. We have a system—and all the taxpayers, I am sure, are familiar with this, having been working on their tax returns in recent days and weeks—of credits or deductions available for campaign contributions, I believe a \$12.50 credit for a single person or \$25 for a couple, an absolute credit, and this bill originally provided for doubling that amount. That bill will be coming back from the House of Representatives before long. And on the matter of deductions, it provides \$50 for a political contribution made by a single person or a \$100 deduction for a couple.

So we already have public financing of elections, one big difference being that the taxpayer can make his contribution under those systems, either the credit or the deduction, to a candidate of his choice. But that is not provided for in the 100 percent public financing as provided by the pending bill.

Mr. President, we do not need any more public financing than we already have. I believe it would be the better part of wisdom for us to wait until the House of Representatives passes something, because we have heard time and time again that the House may not approve this measure, or may not take it, that it may get tied up over there.

What is the hurry? It does not apply until the 1976 elections. Let us see what the House does with S. 372. Let us see what the House initiates on its own, and then possibly we will be in less of a legislative jam when such a bill comes to the Senate.

Mr. President, there is no grand rush about passing this legislation. I am hopeful that cloture will not be invoked, so that we can give serious consideration to the Stevenson-Humphrey-Cranston et al. amendment, which does provide for a possible reduction of 37.5 percent in House and Senate races, a reduction in the public subsidy of up to 37.5 percent, or up to 30 percent in Presidential elections.

If we do not invoke cloture, we will have an opportunity to consider that amendment. If cloture is invoked, the amendment will be steamrollered, with no chance of passage whatsoever, and in my judgment some of the sponsors of the amendment possibly might not even vote for it when the pressures that the Senator from Minnesota was talking about are applied to them. Mark the word of the Senator from Alabama that some of the sponsors may well vote against their own amendment.

Mr. President, the fallacy of this bill is that here is a bill providing for paying for elections out of the taxpayers' pockets, and it is posing as reform legislation when in fact it is not. It is just taxpayer-financed elections, pure and simple. It is not campaign reform. It is campaign reform in that it changes the law, but it is not campaign reform, and there is quite a distinction.

Mr. President, those who have spon-

sored this raid on the taxpayers' pocket-books have not been interested in cutting down the overall campaign expenditures, save the distinguished Senator from Nevada, who did support that amendment. They have not been interested in reducing the individual contributions, because they had opportunity after opportunity to cut down those figures, and the Senator from Alabama has another amendment pending that will be considered whether cloture is invoked or not, which would cut contributions in Presidential races from a maximum of \$3,000 down to \$2,500, and in House and Senate races from \$3,000 down to \$1,250. Perhaps that would suit the tastes of a majority of the Members of the Senate. We have tried cutting them down to \$250 in Presidential races and \$100 in congressional races, and that failed. We then tried—

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. CANNON. Mr. President, how much time remains?

The PRESIDING OFFICER. Two minutes.

Mr. CANNON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CANNON. If the remaining time is yielded back now, does the quorum call commence immediately?

The PRESIDING OFFICER. The quorum call is supposed to begin at the hour set.

Mr. CANNON. At the hour set?

The PRESIDING OFFICER. With 1 minute to go.

Mr. CANNON. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CANNON. If time is yielded back, what happens in the interim of 1 minute before the hour stated?

The PRESIDING OFFICER. The rules prescribe that at the set hour, the Chair must instruct the clerk to call the roll.

Mr. CANNON. Mr. President, I hope the cloture motion will be sustained, and that cloture will be invoked. We have been on this bill for a considerable period of time. We have had a test vote on almost every conceivable issue that I can think of in connection with the matter. We certainly have had every opportunity to debate every conceivable issue in connection with this matter.

OTHER PEOPLE'S MONEY

Mr. INOUE. Mr. President, in my more than 20 years in politics I have learned a thing or two about campaign financing. My knowledge has been acquired in several capacities—as a candidate, a fund raiser, and most recently, a member of an investigating panel looking to campaign finance practices. My knowledge leads to an inescapable conclusion—our present system of financing our elections is unfair, undemocratic and unacceptable.

As a candidate I have run for elective office seven times. By the grace of God and the good graces of the voters of Hawaii, I have been successful in each election. Because I am not a man of in-

dependent wealth, in each election I have had to rely on other people's money to finance my campaign efforts. As the chairman of the Democratic Senatorial Campaign Committee in 1970, I learned the importance of other people's money in all senatorial and congressional campaigns. And during the Watergate hearings we all learned that other people's money fueled the campaigns of the various Democratic candidates for the Presidential nomination. It provided the Committee to Re-Elect the President the wherewithal to present Richard Nixon to the American electorate in the manner he wished to be presented. CREEP also used other people's money to create a string of scandals unprecedented in American political history.

The high cost of campaigning has escalated in the last two decades at a more rapid rate than the cost of living. Today a competitive campaign for a House seat can cost each side well over \$100,000, while a Senate contest can cost each campaigner a minimum of \$250,000 even in a relatively small State. And as the Senate Watergate panel discovered over \$100 million was spent in the Presidential campaign of 1972.

Television, radio, direct mail, telephoning, printed pamphlets, newspaper advertising, transportation, and other essential means of modern communication used to present a candidate to the voting public are very expensive. Somebody must pay these campaign bills. The trend throughout the 20th century has been toward other people's money, that is small numbers of large contributors paying these bills. The damage to our democracy that the reliance on large contributors in elections has caused is plain for all to see.

The American people have never been more alienated from their political system than they are today. A smaller percentage of our people go to the polls than in any other industrial democracy. The decline of people willing to identify themselves with either of our major parties has been striking. The majority of American men and women hold politics and politicians in low esteem. Politics is very much a dirty word in today's lexicon and the belief that all politicians are corrupt is dangerously widespread.

We politicians did not need Watergate and the Agnew tragedy to learn that something was rotten in Washington. We have been aware of that for some time, but most of us have preferred to close our eyes to the campaign financing practices which have shamed our once honorable profession and—yes, let us face it—corrupted our system.

Let us look at how the reliance on other people's money to finance our campaigns has—and by its nature must—corrupt our present political process.

Since the Tillman Act of 1907, there have been limitations on the sources of campaign contributions. The Corrupt Practices Act of 1910 first required candidates for Federal office to report on campaign income and expenditures. Yet, in every election year candidates for Federal office have avoided, circumvented, and occasionally evaded just about every State and national law that regulates the

political fund-raising process. The techniques of avoidance may be complex, but they are well known. Secret conduits, spurious committees, and other forms of deceit and subterfuge come into existence to assure candidates the money needed to reach the voters. Honest men, with the best intentions, unwittingly take money from sources that are proscribed against giving it. It comes in prohibited quantities and much, if not most, of it goes unreported and even unrecorded.

A recent New York Times editorial succinctly stated the dilemma of our present system.

Try as they may to conduct these political fund-raising activities at arm's length and to develop multiple sources of support to lessen their dependence on a single interest group, politicians of necessity are constantly enchainning themselves in dependent financial relationships and potential conflicts of interest.

Senator RUSSELL LONG put it more bluntly when he said:

The distinction between a campaign contribution and a bribe is almost a hairline's difference. You can hardly tell one from the other.

Every elected official should understand the truth in that statement.

In a democracy, the illusion of corruption is as damaging to the fabric of freedom as actual corruption. During the Watergate hearings, I heard witness upon witness testify that donations were made to President Nixon's campaign because the contributor feared governmental reprisals or desired governmental favors. Even if these expectations were unfounded, a system which leads contributors to act in response to such expectations must also lead the public to believe that the relationship between campaign cash and governmental decisions is real.

Before my participation on the Watergate Committee, I was not fully convinced that a shift from reliance on private money to public money was the proper direction for our electoral system. I have spent many long hours reading thousands of pages of committee documents, executive session transcripts, academic treatises on this subject. I sat through days of public hearings listening to the tragic details of the campaign practices of 1972. During these past several months I have become convinced of the wisdom of the call for public financing of elections.

The Select Committee as a whole has not yet considered or expressed itself on legislative recommendations. But full Senate consideration of the Federal Election Campaign Act Amendments of 1973 and 1974 has forced each member of the committee to take a public stand on the questions of election reform. As my votes on these bills have shown, when the full committee writes its report, I will strongly recommend public financing of elections as a necessary element of any new system of campaign regulations. The facts of Watergate as I interpret them and the facts of political life in America today lead to that conclusion.

I cannot accept the argument that public financing will discourage, if not prohibit, the individual exercise of the first amendment right of freedom of

political expression. A system of matching small private contributions with public money will, in fact, encourage political expression from the millions of Americans who do not now participate. A tax checkoff system, as proposed in the legislation now before the Senate, will not force any taxpayer to contribute to campaigns. It will, however, encourage the taxpayer to choose to participate in this essential part of the political process.

Further, I do not believe that public financing creates additional advantages for incumbents. The advantages we incumbents have are already overwhelming. We have paid staffs and offices, free use of the mails, frequent access to our constituents through the news media, and entree to the campaign coffers of special-interest groups. The ability of incumbents to retain their seats indicates strongly that challengers often cannot get enough money to finance effective campaigns. Over the past 30 years incumbent Representatives have won reelection in over 90 percent of their campaigns, while incumbent Senators have over an 85-percent reelection rate. In 1972 congressional incumbents were on the average able to raise twice as much campaign money as challengers. Public financing may help to redress that balance by making access to large contributors less of a controlling factor in elections.

The argument that public financing will place an additional burden on the already heavily burdened taxpayer does not sway me. The taxpayer is now paying for our system of campaign financing every time he goes to the station, the supermarket, the drugstore, and every year as he fills out his tax form. Tax loopholes were not written into our laws by accident. The special interests have not underwritten campaign costs out of any sense of charity. And each time a change of legislative language, or a preferential amendment, or a pork barrel bill or a "Christmas Tree Act" passes through the Congress, the taxpayer unknowingly and unwillingly contributes to our present system of campaign finance. Public financing will let the taxpayer know what he is paying. With that knowledge he can decide if he is getting his money's worth.

The ideal democratic electoral system is easy to envision. It should be fair, open, competitive, clean, and above board. It should build support for our political institutions and respect for the political process. But the design of laws which will make the ideal into a reality is complex, if not impossible.

Watergate has opened our eyes to the cancer that is growing on our political system. We need drastic surgery to stem that cancer. Watergate has given us the impetus and the opportunity to try a drastic cure. In 1907 President Theodore Roosevelt first called for public financing of campaigns. It is time to heed that call. We may not create a panacea, but we can begin to restore our political health.

Mr. NUNN. Mr. President, the revelations of Watergate and similar political abuses of the recent past have both shocked and angered the American

people. They demand reform, and indeed, reform we must have.

In times such as these, however, history has shown that our Nation must avoid making the remedy worse than the disease. I fear that a lasting tragedy of the Watergate era could be the well intentioned but misconceived concept of public financing of Federal elections as contained in S. 3044. It would be a sad irony indeed to see a national disgrace serve as the catalyst for establishing an ill-conceived election process.

I oppose the so-called public financing provisions in the pending bill. This concept, while perhaps having a superficial appeal to some, would be unacceptable to the American taxpayer. It should be noted that public financing will not necessarily end campaign abuses. Funding is only one aspect to the campaign process. Money raised from private sources should not be necessarily suspect. Even under the public financing proposal, private funds will continue to be utilized.

Mr. President, I wish to commend the distinguished Senator from Alabama (Mr. ALLEN) for his wisdom and tenacity in opposing the public financing provisions as contained in S. 3044. His careful analysis of these provisions has been of great benefit to me and other Members in considering this legislation.

What is needed to help correct the abuses of the Watergate era is reform and strengthening of the laws that govern the procedural conduct of campaigns. What is needed is the imposition of reasonable limitations on individual contributions, and greater incentives for voters to voluntarily make such contributions. I cosponsored the amendment offered by Senators ERVIN and BAKER to provide such an incentive through a \$100 tax credit on an individual return, or \$200 on a joint return. Unfortunately, the Senate rejected this amendment.

The most acceptable form of financing is that which consists of funding campaigns by small voluntary individual contributions from a broad cross section of the public. This, I submit, is what Congress should be working toward. It is public financing in the true and finest sense of the term. The income tax checkoff system for financing Presidential elections is one approach to such grassroots support. Only 3.1 percent of the taxpayers submitting returns in 1972 chose to exercise this procedure. Thus, only \$3.9 million was designated for election financing. However, early returns for 1973 indicate that a much higher percentage of tax returns are utilizing the checkoff. If this trend continues, the system will go far to financing Presidential elections in 1976.

Positive reform, together with strict enforcement and full public disclosure can do much to end the past abuses of fundraising through big contributors and special interests. We have not yet tried such tough regulation.

It should be noted that 1972 was the first year we required public disclosure at the Federal level. Many persons also overlook the fact that most of the campaign abuses in the 1972 election took

place prior to the April 7, 1972, effective date for public disclosure.

Furthermore, many of the improprieties such as corporate contributions, were in violation of existing law.

However, last July the Senate passed S. 372 which provides strict limits on campaign expenditures and contributions, while leaving the financing of Federal elections in the private sector.

An individual could give no more than \$3,000 to a congressional or Presidential candidate in an election, or more than \$25,000 to all candidates and committees in 1 year.

Senate candidates would be limited to 10 cents per eligible voter up to a ceiling of \$125,000 in primary elections and 15 cents and a \$175,000 ceiling in the general election. House candidates would be subject to similar limitations with a ceiling of \$90,000 during primary and general elections.

That measure contained other restrictions such as prohibiting cash contributions over \$50 and restricting the use of the frank in mass campaign mailings.

I believe that it would be wise to wait until the House acts on S. 372 before rushing ahead with public financing. If that measure is enacted into law, it will provide meaningful reform. After we have experience under its provisions, then we might find it prudent to tighten the election laws still further. I deem it inappropriate to make such a drastic change in our electoral process as that entailed in public financing without first attempting to correct past abuses through the reasonable procedures contained in S. 372.

Mr. President, it is most enlightening to note that of the seven members of the Watergate Committee, five, including my distinguished colleague from the State of Georgia (Mr. TALMADGE) are opposed to this bill's public financing provisions. This committee has labored long and hard over many months to investigate campaign abuses and to determine how to reform our electoral process to prevent future improprieties. The Watergate report is scheduled to be filed in the near future. However, the proponents of public financing refuse to defer action until after this body has had an opportunity to study the report's recommendations. All too well do they realize that the report will not favor their view; all too glibly do they dismiss the wise counsel of the committee's majority; and all too readily do they seek to expend the taxpayer's dollars.

I want to point out that not one abuse would be prevented in the upcoming 1974 election by the pending bill since its provisions are not effective until the 1976 election.

We have all of 1974 and 1975 to draft additional campaign reform legislation if it is needed. Yet, the proponents of S. 3044 urge that we rush through this proposal. Why? Because they wish to take advantage of the emotional tide that has arisen over Watergate.

Mr. President, meaningful campaign reform should stand or fall on its own merits detached from the emotional sway of Watergate.

I oppose the unnecessary and unwise public financing provisions in this legislation.

Mr. MATHIAS. Mr. President, as we continue to debate the merits of public financing and other proposals to reform our electoral system, I think it is appropriate to note that the General Assembly of Maryland, which just this week completed its 1974 session, enacted a State election reform measure. Although different in its final version than the various individual bills that were introduced, the Maryland legislation does include the concept of public financing for general elections, in addition to a number of other features, many of them similar to the proposals we are considering here. Needless to say, there was extensive debate in the legislature, as well as general public discussion, about election reform. Pull hearings were held, at which all shades of opinion were expressed. One of the most succinct statements against public financing of elections was submitted to the Judicial Proceedings Committee of the Maryland Senate by Ray Gill, a columnist for a number of Maryland weekly newspapers, and a long-time observer of government and politics in our State. I disagree with Mr. Gill on the subject of public financing of elections.

But his statement is a clear expression of a point of view that must be taken into account here, as it was in Maryland. Because it is vitally important that all sides of the issue be fully explored, I ask, Mr. President, that Mr. Gill's statement be inserted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY RAY GILL

Common Cause and other reform organizations have made a great issue of how special interests influence the course of government by contributing to the election campaigns of candidates for public offices.

And God knows, we have seen enough evidence of abuses of the system within the past year.

The problem is that everybody has become so obsessed with the liabilities of our free political and economic system that nobody seems to remember the assets.

I am convinced that the greatest danger we face arises from the hysterical mania for reform, agitated by many well-meaning people and some whose motives are only dimly perceived.

At the congressional level and here in Annapolis, the craze to perfect the system threatens to strangle political liberty. The worst lunge in that direction would be public financing of election campaigns.

The citizen's right to contribute or not to contribute would be abolished. The cash for electoral candidates would be forcibly taken from him by taxation.

The citizen would also lose any choice in the matter of which candidates get his money. The funds would go to a pool for distribution to candidates according to some formula that would ignore the preferences of the taxpayer.

The dollars would be distributed to candidates hostile to the taxpayer's own political beliefs, as well as those he might favor.

I am convinced that would be unconstitutional and, if it is not, then it surely ought to be.

The courts of our land have repeatedly

held that it is unconstitutional to prohibit the expression of any idea.

I daresay it is just as unconstitutional to compel a citizen to support candidates whose ideology is contrary to his own, but that's what would happen under this pernicious legislation.

If public financing of presidential elections ever comes to pass, for example, imagine the chagrin of a black taxpayer when he realizes that some of his tax dollars have been pumped into the campaign of George Wallace.

At the congressional level, I would surely be pained to have even one dime of my hard-earned cash going to Bella Abzug or Farren Mitchell.

And I can think of quite a few state legislators whom I would hate to support, including those who would vote for a bill such as this.

Instead of being obsessed with the scandals that have erupted lately, having been exposed and prosecuted by due process of law, I urge you to consider the cause of individual liberty.

Perhaps we all need reminding that government is the historic enemy of freedom, and its growing power in this nation is something we should not ignore.

Within the past 40 years, laws, rules, regulations, guidelines, plans and bureaucratic decisions of government have increasingly invaded every aspect of life.

The economic power of government has grown to the point at which it consumes nearly 30 percent of the gross national product of the nation.

There are strong political forces that want government to assume more and more power over our lives, to tax more and spend more, to satisfy every human want and need, to plan your neighborhood, to practice sociology on your children, to regulate us all toward some concept of what society ought to be.

These organizations are well-organized and well-financed nationally. Their members relentlessly campaign for more and larger government programs and for candidates who will support their goals. And they are quick to denounce their opposition as "special interests."

But I would hate to think of a government in which those special interests were not represented.

I believe it is fortunate that business and labor contribute money to the election campaigns of candidates of their choice. So do countless individual citizens who perceive certain candidates to be representatives of their interests.

The economic power in elections is currently dispersed, as it ought to be, among a multitude of interests. A government elected thusly will try to balance and accommodate the interests at work in a free society.

The balance of interests checks the power of government, restrains it from committing excesses in any direction, and preserves freedom.

But public financing of election campaigns would eliminate important restraints on government and erode freedom.

I would also ask you to remember that the people are already taxed more than enough to support the galaxy of public services and attendant bureaucracies that have grown so vastly in recent times.

We might argue about the cost and necessity of some of those services, but at least the goal is service.

I wonder how you're going to convince the taxpayer that your election campaigns are public services for which he must be forced to pay.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. HELMS). All time for debate having ex-

pired and the hour of 4 o'clock having arrived, the clerk will report the cloture motion.

The assistant legislative clerk read the cloture motion, as follows:

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the pending bill S. 3044, a bill to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns.

John O. Pastore.
Harrison A. Williams, Jr.
Clifford P. Case.
Abraham Ribicoff.
Thomas F. Eagleton.
Joseph R. Biden.
Alan Cranston.
Birch Bayh.
Dick Clark.
Frank Church.
Quentin N. Burdick.
James Abourezk.
Gale W. McGee.
Edmund S. Muskie.
Phillip A. Hart.
Edward M. Kennedy.
Floyd K. Haskell.
Howard M. Metzenbaum.
Jacob K. Javits.
Marlow W. Cook.
Edward W. Brooke.
Ted Stevens.
Joseph M. Montoya.
Hugh Scott.
Richard S. Schweiker.
Henry M. Jackson.
Hubert H. Humphrey.

CALL OF THE ROLL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair directs that the clerk call the roll to ascertain the presence of a quorum.

The second assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 126 Leg.]

Abourezk	Ervin	Metzenbaum
Aiken	Fannin	Mondale
Allen	Fulbright	Montoya
Baker	Goldwater	Moss
Bartlett	Gravel	Muskie
Bayh	Griffin	Nelson
Beall	Gurney	Nunn
Bellmon	Hansen	Packwood
Bennett	Hart	Pastore
Bentsen	Hartke	Pearson
Bible	Haskell	Pell
Biden	Hatfield	Percy
Brock	Hathaway	Proxmire
Brooke	Helms	Randolph
Buckley	Hollings	Ribicoff
Burdick	Hruska	Roth
Byrd	Huddleston	Schweiker
Harry F., Jr.	Hughes	Scott, Hugh
Byrd, Robert C.	Humphrey	Sparkman
Cannon	Inouye	Stafford
Case	Jackson	Stennis
Chiles	Javits	Stevens
Clark	Johnston	Stevenson
Cook	Kennedy	Symington
Cotton	Magnuson	Taft
Cranston	Mansfield	Talmadge
Curtis	Mathias	Thurmond
Dole	McClellan	Tower
Domenici	McClure	Tunney
Dominick	McGovern	Weicker
Eagleton	McIntyre	Williams
Eastland	Metcalf	Young

The PRESIDING OFFICER. A quorum is present.

The question before the Senate is: Is it the sense of the Senate that debate

on S. 3044, a bill to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate, so that Senators who are following the count may hear all the responses?

The PRESIDING OFFICER. The Senator's suggestion is in order. The Senate will be in order. The Chair solicits the cooperation of all Senators.

The clerk will proceed.

Mr. ROBERT C. BYRD. Mr. President, we do not have the kind of order that will allow Senators to hear the responses.

The PRESIDING OFFICER. All Senators will take their seats. The clerk will not proceed until the Senators are in their seats or in the cloakroom.

The clerk will proceed.

The assistant legislative clerk called the roll.

Mr. BIBLE (when his name was called). On this vote I have a pair with the Senator from Wyoming (Mr. MCGEE) and the Senator from Idaho (Mr. CHURCH). If I were permitted to vote, I would vote "nay." If they were present, they would vote "yea." I withhold my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Louisiana (Mr. LONG), and the Senator from Wyoming (Mr. MCGEE) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Hawaii (Mr. FONG) is necessarily absent.

I also announce that the Senator from Virginia (Mr. WILLIAM L. SCOTT) is absent on official business.

I further announce that, if present and voting, the Senator from Hawaii (Mr. FONG) would vote "nay."

The yeas and nays resulted—yeas 64, nays 30, as follows:

[No. 127 Leg.]

YEAS—64

Abourezk	Haskell	Nelson
Alken	Hatfield	Packwood
Bayh	Hathaway	Pastore
Beall	Huddleston	Pearson
Bentsen	Hughes	Pell
Biden	Humphrey	Percy
Brooke	Inouye	Proxmire
Burdick	Jackson	Randolph
Byrd, Robert C.	Javits	Ribicoff
Cannon	Johnston	Roth
Case	Kennedy	Schweiker
Chiles	Magnuson	Scott, Hugh
Clark	Mansfield	Stafford
Cook	Mathias	Stevens
Cranston	McGovern	Stevenson
Dole	McIntyre	Symington
Domenici	Metcalfe	Tunney
Eagleton	Metzenbaum	Welcker
Fulbright	Mondale	Williams
Gravel	Montoya	Young
Hart	Moss	
Hartke	Muskie	

NAYS—30

Allen	Dominick	McClellan
Baker	Eastland	McClure
Bartlett	Ervin	Nunn
Bellmon	Fannin	Sparkman
Bennett	Goldwater	Stennis
Brock	Griffin	Taft
Buckley	Gurney	Talmadge
Byrd,	Hansen	Thurmond
Harry F., Jr.	Helms	Tower
Cotton	Hollings	
Curtis	Hruska	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Bible, against.

NOT VOTING—5

Church	Long	Scott,
Fong	McGee	William L.

The PRESIDING OFFICER. On this vote there are 64 yeas and 30 nays. Two-thirds of the Senators present and voting having voted in the affirmative, the cloture motion is agreed to. [Applause.]

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate and in the galleries.

The PRESIDING OFFICER. The Senate will be in order.

ORDER OF BUSINESS

Mr. HUGH SCOTT. Mr. President, I rise to ask the distinguished majority leader if he will give us the schedule for the remainder of the day and perhaps he can give us the prognosis from now until the scheduled Easter hiatus.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MANSFIELD. Mr. President, I am very happy to respond to the distinguished Republican leader, and state that we will go as long today as there are amendments available.

ORDER FOR ADJOURNMENT UNTIL 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 10 o'clock tomorrow morning.

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

PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that the tornado disaster relief bill, which I understand was reported by the Committee on Public Works, will be taken up tomorrow after the conclusion of the pending business. There will be one or two other items which will be relatively noncontroversial. It is expected that the Senate, in line with the House action, will recess at the end of business Thursday rather than at the end of business Friday, as in the original schedule.

Mr. HUGH SCOTT. I understand a couple of the energy bills are on the way out or are out of committee. If so, I assume they will be brought up as soon as possible after the Easter recess.

Mr. MANSFIELD. After the no-fault

insurance bill, which will be the next major item of business, has been disposed of—and it will be very controversial and debate well may be extended—generally speaking, that bill will be followed by the education bill, which likewise will be subject to extended debate.

Mr. HUGH SCOTT. We all hope that debate on the no-fault insurance bill will leave each of us with no fault personally.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MAGNUSON. Does the majority leader suggest that we lay down the no-fault bill before we quit?

Mr. MANSFIELD. Yes, and that it be the pending business.

Mr. MAGNUSON. And that it be the pending business when we return. Obviously, we could not have votes on it between now and Thursday.

Mr. MANSFIELD. That is correct; and may I say, following the suggestions made by the distinguished Senator from Washington, who is the chairman of the Committee on Commerce and who will be the manager of the bill.

Mr. MAGNUSON. And that would mean that after the recess, no-fault would be the pending order of business?

Mr. MANSFIELD. Yes.

Mr. MAGNUSON. It might be superseded by two or three matters, but it would be the pending order of business.

Mr. MANSFIELD. Yes; and as far as the military authorization bill is concerned, that will not be taken up until sometime after the recess.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

The Senate continued with the consideration of the bill (S. 3044) to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns.

The PRESIDING OFFICER. The Chair inquires as to who yields time.

Mr. STEVENSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STEVENSON. What is the pending business?

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Massachusetts to the amendment of the Senator from Illinois.

Mr. KENNEDY obtained the floor.

The PRESIDING OFFICER. The Senator will be in order. The Senator cannot be heard.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand the parliamentary situation, I do have an amendment at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. Mr. President, I would like to withdraw that amendment

and reintroduce another amendment which is at the desk and which has some technical changes in it to conform more accurately with the legislation before us.

The PRESIDING OFFICER. The amendment will be withdrawn. The clerk will read the amendment now proposed.

The assistant legislative clerk proceeded to read Mr. KENNEDY's amendment to Mr. STEVENSON's amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. DOMINICK. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MANSFIELD. Mr. President, what was the objection to?

The PRESIDING OFFICER. The Senator from Massachusetts requested unanimous consent that reading of the amendment be dispensed with. Objection was heard.

The clerk will read the amendment.

The assistant legislative clerk read the amendment to the amendment, as follows:

Strike the language proposed by Mr. STEVENSON by striking out subsection (b) (1) (A) (i) proposed to be inserted on page 10, beginning with line 17, and insert in lieu thereof the following:

"(b) (1) Every eligible candidate who is nominated by a major party is entitled to payments for use in his general election campaign in an amount equal to—

"(A) in the case of a candidate for election to the office of President, 100 percent of the amount of expenditures the candidate may make in connection with that campaign under section 504, and

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I will say, for the benefit of Members of the Senate, that this was an amendment which was introduced by myself, the minority leader (Mr. HUGH SCOTT), and Senators HART, SCHWEIKER, MATHIAS of California, and JAVITS. I do not intend to take very much time, but as a point of information for the membership, this amendment is to—

The PRESIDING OFFICER. The Senator will suspend. The Senate is not in order.

The Senator may proceed.

Mr. KENNEDY. This amendment would modify the Stevenson amendment to restore the provision in the bill reported out of the Committee on Rules and Administration for 100 percent public financing of general elections for the office of the President. The Stevenson amendment would cut this back to 40 percent public financing. This is an issue which has been debated and discussed since 1966. On many occasions over the past 8 years, the membership has voted on whether we want full public financing of Presidential elections. It is part of present law, the dollar checkoff we created in 1971. The Stevenson amendment would weaken the existing law and change significantly the bill which is before the Senate dealing with Presidential elections.

The issue on the Stevenson amendment is an issue which we have voted on

before. We rejected the concept of partial public financing a week ago, and it was also defeated as an amendment that was proposed last fall.

The purpose and the thrust of my amendment is to preserve the features of existing law and the committee bill as they relate to Presidential elections. If this amendment is accepted to the Stevenson amendment, and if the Stevenson amendment is later accepted as amended, the Senate would preserve the provisions of current law which deal with the public funding of Presidential elections.

Financing of Presidential elections has really not been one of the principal issues debated or discussed on the committee bill. There has been general agreement in the Senate that the current is adequate. It is one of the most essential parts of the whole campaign reform proposal, and I would hope that my amendment, which has the strong bipartisan support of many of those who have been working in this area, will be accepted. Certainly, we should not retreat from existing law.

I reserve the remainder of my time.

Mr. STEVENSON. Mr. President, the subject of this amendment has been fully debated, and I certainly do not intend to prolong the debate. This amendment raises a question which I think can be simply put. It is simply, why pay more when, for less, we can do a better job?

Whatever the formula, Presidential candidates are going to opt for public financing. This amendment would drive out every last nickel and dime of private money for those Presidential campaigns in which the candidate has opted for public financing. No individual could contribute any money to the candidate of his choice. He could not contribute \$5. He could not contribute \$500.

Many people feel seriously about their politics—

Mr. KENNEDY. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order. Staff members are solicited to cooperate.

The Senator may proceed.

Mr. STEVENSON. They feel very seriously about their election campaigns and feel seriously about their politics. They want to help. They want to be a part of their Government. They want to help candidates of their choice. They want to do so by giving small contributions. The Kennedy amendment says, "No." It says whether one wants to contribute \$5 or \$10, he cannot do it. It says by implication that the citizen might corrupt a candidate for the Presidency of the United States with a \$5 or \$10 contribution.

Mr. KENNEDY. Mr. President, will the Senator yield on my time?

Mr. STEVENSON. I yield.

Mr. KENNEDY. There is nothing in this amendment that would prohibit any individual who wanted to spend money on behalf of a candidate from taking out an advertisement or buying time on television or radio or sponsoring a program that would permit people to watch a candidate. He would be able to spend up to

\$1,000 for such purposes, regardless of the candidate's own spending limit.

My amendment does not eliminate this provision. What it does do is make full public financing available to a candidate. But an individual would be able to spend up to \$1,000 of his own money on behalf of a candidate, independent of the candidate's own limit. That provision is preserved, and I think wisely so.

Mr. ABOUREZK. Mr. President, will the Senator yield?

Mr. STEVENSON. I yield.

Mr. ABOUREZK. Did the Senator from Illinois say in his remarks that the bill as it is now written would remove every last nickel of private financing?

Mr. STEVENSON. In the case of every candidate who accepted the public funds made available by the bill, there could be no more private contributions.

As the Senator from Massachusetts has pointed out, a person acting independently of a candidate could spend up to \$1,000 of his own money to express his views, he could not contribute \$5 to a candidate of his own choice.

Mr. ABOUREZK. But the Presidential candidate could raise private financing for a candidate.

Mr. STEVENSON. That is true. The purpose of public financing is to prevent big, essentially corrupting contributions, not \$5 contributions. It is the small contributions which are innocent, and that is a healthy form of political participation.

The amendment I have offered, unamended by the Senator from Massachusetts, would accomplish both objectives. It would eliminate from our politics the large contributions and would preserve the innocent, small contributions. It would decrease the cost to the Treasury of financing campaigns for the Presidency.

If the amendment offered by the Senator from Massachusetts had been in effect in 1972, President Nixon and the Committee to Re-Elect the President would have received \$16 million from the U.S. Treasury. There is no necessity for that. It is offensive to the American public. It could be offensive to the Constitution.

Large contributions could be eliminated and small contributions preserved without the amendment of the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the genius of the committee bill we are considering this afternoon is its complete flexibility. A candidate is not required to accept any public financing. If he wants to raise his funds from small, private contributions, he can do that. We do not have to change the existing legislation to accomplish the goal of the Senator from Illinois.

Many of the things that the Senator from Illinois advocates in terms of preserving small contributions are true. If an individual wants to go out and raise the money by \$5 contributions, nothing in the committee bill would prevent that. But there is also nothing in it that would require him to raise private funds, if he preferred to finance his campaign from public funds.

Let me also point out that under the

Senator's amendment, a candidate could still accept large contributions of \$3,000 or \$6,000. How many candidates relying on private funds will seek out the \$250 donor for matching grants, when they can get funds at \$6,000 a clip from an individual or a special interest group?

So, on the one hand, the Senator is putting a limit on what can be provided through public financing. On the other hand, he is not requiring a candidate to raise the money by small contributions.

It would still be possible for him to finance his campaign in \$3,000 or \$6,000 contributions. That is a large loophole. The lower we set the limit on public funds, the higher we make the incentive to rely on unduly large private contributions.

The bill before the Senate has been thought out in a responsible way. It seeks to provide flexibility for a candidate who wants partial public financing. He can say that he will take some public funds or all public funds, or no public funds. He has that flexibility. If he wants to raise his funds in small contributions, he can do that under the committee bill.

So I hope that at least the provision in current law which deals with Presidential elections will be retained and that we would not weaken it in the way suggested by the pending amendment.

Mr. President, I am ready for a vote. The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts to the amendment of the Senator from Illinois. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Louisiana (Mr. LONG), the Senator from Wyoming (Mr. MCGEE), the Senator from Iowa (Mr. HUGHES), and the Senator from Ohio (Mr. METZENBAUM) are necessarily absent.

Mr. HUGH SCOTT. I announce that the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Michigan (Mr. GRIFFIN) are necessarily absent.

I also announce that the Senator from Virginia (Mr. WILLIAM L. SCOTT) is absent on official business.

The result was announced—yeas 46, nays 45, as follows:

[No. 128 Leg.]

YEAS—46

Abourezk	Hartke	Packwood
Bayh	Haskell	Pastore
Bentsen	Huddleston	Pearson
Bible	Inouye	Pell
Biden	Jackson	Percy
Brooke	Javits	Proxmire
Burdick	Johnston	Randolph
Cannon	Kennedy	Ribicoff
Case	Magnuson	Schweiker
Chiles	Mathias	Scott, Hugh
Clark	McIntyre	Stafford
Cook	Metcalf	Symington
Eagleton	Montoya	Tunney
Fulbright	Moss	Williams
Gravel	Muskie	
Hart	Nelson	

NAYS—45

Aiken	Beall	Buckley
Allen	Bellmon	Byrd,
Baker	Bennett	Harry F., Jr.
Bartlett	Brock	Byrd, Robert C.

Cotton	Hathaway	Sparkman
Cranston	Helms	Stennis
Curtis	Hollings	Stevens
Dole	Hruska	Stevenson
Domenic	Humphrey	Taft
Dominick	Mansfield	Talmadge
Eastland	McClellan	Thurmond
Ervin	McClure	Tower
Fannin	McGovern	Weicker
Gurney	Mondale	Young
Hansen	Nunn	
Hatfield	Roth	

NOT VOTING—9

Church	Hughes	Scott,
Fong	Long	William L.
Goldwater	McGee	
Griffin	Metzenbaum	

So Mr. KENNEDY's amendment was agreed to.

Mr. KENNEDY. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois (Mr. STEVENSON), as amended.

Mr. KENNEDY. Mr. President, on behalf of Senators HUGH SCOTT, HART, SCHWEIKER, MATHIAS, and JAVITS, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. HASKELL). The amendment will be stated.

The legislative clerk read as follows:

In the matter proposed to be inserted on page 10, strike out proposed subsection (b) (1) (A) (ii) and (b) (1) (B) and insert in lieu thereof the following:

"(B) in the case of a candidate for election to the office of Senator or Representative, the sum of —

"(i) 50 percent of the amount of expenditures the candidate may make in connection with that campaign under section 504, and

"(ii) the amount of contribution he and his authorized committees received for that campaign."

At the end of paragraph (6) proposed on page 3, strike out "(1) (A)" and insert "(1) (A) or (B)".

Mr. KENNEDY. Mr. President, I yield myself such time as I may need.

The committee bill provides for full public financing for congressional elections. There is a feeling, and rightly so, that what is sauce for the goose is sauce for the gander. If we have full public financing for Presidential elections, as we already do, then we should have full public financing of congressional elections as well.

There has been extensive debate on public financing for congressional elections, both during the past few days as well as last fall, when a similar proposal was before the Senate.

Instead of full public funding for congressional elections, the Stevenson amendment allows only a 25-percent front end subsidy, plus matching grants of public funds for the remainder of a candidate's spending limit. If matching grants are fully used by a candidate, he would receive matching public funds equal to half of the remaining 75 percent of his expenses, or 37.5 percent. Thus, his total public funds would equal the initial 25 percent plus the matching

37.5 percent, or a total of 62.5 percent public funds.

My amendment would raise the initial front end subsidy to 50 percent, and allow matching for the remainder. Thus, my amendment put a substantial limit on public funds. It is a significant retreat compared to the committee, but it is offered in a spirit of compromise to try to reach a middle ground with the Senator from Illinois and others who prefer a mixed system of public funds and matching grants in general elections.

The amendment we are offering would allow a candidate to obtain 75 percent public financing for his campaign—50 percent from the front end subsidy, and 25 percent through matching.

Now, that may not sound very different from the amendment of the Senator from Illinois—75 percent versus 62.5 percent—but there is an important additional point. Those amounts of public funds will be reached, only by candidates who raise all their private money in contributions of \$100 or less. Far more likely, many candidates will choose to go to the big contributors for private money, where funds can be raised at \$6,000 a clip. So we may wind up with a situation where a candidate under the Stevenson amendment raises only 25 percent public funds, and gets all the rest from wealthy contributors or special interest groups. My amendment would at least raise this level to 50 percent, and that is an important difference.

This is a reasonable adjustment and compromise in this area. The sponsors are reluctant to make this adjustment, but we also recognize that this approach is likely to be more acceptable to the House.

Our amendment is offered as a reasonable compromise to those who believe we should put a limitation on what is available in public funds.

I would hope that the amendment would be accepted by the Senate.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

Mr. JAVITS. Mr. President, as a Senator who is very likely to be a candidate this year, I support and, indeed, I am one of the cosponsors of Senator KENNEDY's amendment, which I think is a fair compromise between the kind of informal vote of those who will support us financially, and Government financing. I was hostile to Government financing for years, as I saw many dangers in it. But in all the problems of legislation, we always have to trade off. We have to accept something we do not agree with in order to get the greater good.

The seamy record we have seen under the general heading of raising campaign funds, with all the very, very shocking immorality which it has engendered, I believe should have convinced us that the public financing route is the right one. I realize that we do not want to go at it all at once but, at the same time, to be practical about it, we have got to

give the candidate the opportunity to use public financing effectively and not put him in the position where it does not amount to using it effectively and being able to rely on it.

The virtue of the Kennedy amendment is that it is realistic. The 50-percent figure entitles a candidate to go with it and rely on it, whereas the 25-percent figure is too little and does not give the public financing concept a fair trial.

For all those reasons, Mr. President, I hope very much that the Senate will approve the amendment.

Mr. DOLE. Mr. President, I understood, during the debate we began here several weeks ago, that we were not going to be corrupted by accepting private funds. The prevailing view then was that we could not be trusted with private funds, that we, somehow, might be corrupted.

But now we are saying that if we accept 50 percent private and 50 percent public funds, there will be no problem.

I agree with the distinguished Senator from Alabama (Mr. ALLEN), even though I voted for cloture, that here we are either going to be financed publicly, or we should be financed privately 100 percent.

I do not know what merit there is in saying on the one hand that we are all subject to being corrupted because we accept private funds but, somehow that is all cured if half of it comes from the Public Treasury and half of it comes from someone else.

For the life of me, I cannot understand how this amendment makes anything better. It indicates that what we really want is public money. Fifty percent of public money will be all right if we can only get 50 percent out of the Public Treasury, that we are not concerned about being corrupted any more, that we are not concerned about where the contributions come from. We say, take 50 percent but do not take it all. I cannot understand that if we want to purify our political system we want to let the Federal Government pay for the campaigns.

Well, I hope it never happens. But, if we are going to purify our political system, let us go on as we have been going. Most of the men and women in this country in public office are men and women of integrity. They are not corrupted by private donations. With the law passed in 1971, there will be full disclosure of our contributions and expenditures.

I see no reason for this amendment, or any modification of it, or for any more discussion of the pending bill.

It seems to me that the American people would like us to give a little attention to their problems. We wasted 7 days trying to raise our own pay. Now we waste 3 weeks trying to get back into the public Treasury. We have not concerned ourselves with the American people for 30 days—and we are going to take a recess come this Thursday.

Mr. STEVENSON. Mr. President, there is very little difference between this amendment and the amendment I have proposed. It is a question of degree. The amendment offered by the Senator from

Massachusetts would increase the maximum public share to 75 percent, while the amendment which I offered has a 62.5-percent maximum. If candidates can raise 100 percent of their funds privately—as they now do—they should be able to raise 37.5 percent from small contributions.

The amendment which I offered with the Senator from Ohio and the Senator from New Mexico and others would simply increase the degree of participation by citizens in the political process and decrease the burden on the public Treasury.

Mr. KENNEDY. Mr. President, the point remains that under the existing legislation, if an individual candidate finds the public financing sufficiently repugnant, he can go out and say, when he announces for public office, "I am not going to accept anything more than a dollar or more than \$5," and run his campaign that way. Nothing requires him to take the public financing.

What we have done with this proposal is to say, with respect to those who feel that some limitation ought to be provided, that we set a 50-percent ceiling on the initial subsidy, and then allow matching up to the amount he is able to spend. I think that is a reasonable compromise.

I remind the Members of the Senate that this bill is going to go through many changes in the House and in the conference. The action by the Senate is going to be the high water mark in terms of the position Congress will take in this area. So I hope that when the bill goes to conference, our conferees will be given the strongest possible position to defend. I am hopeful that we will have a strong bill.

Under the limitation that has been suggested by the Senator from Illinois, you can get only 25 percent front end funding. True, you will be able to match up to 62 percent, if you raise private money in contributions of \$100 or less. But you can also go out and raise the rest of your money in \$6,000 campaign contributions. There is no requirement in the Stevenson amendment that you get it from the \$100 contributor. The 25 percent front end money will become a drop on the bucket, the shadow of reform without the substances. After getting the front end money, you can take \$6,000 contributing from special interest committees. You can take \$3,000 contributions from wealthy individuals.

How much reform is that? A Senator or Congressman will represent the people 25 percent of the time, and the special interest groups the other 75 percent.

I think we are already achieving what the Senator from Illinois wants to achieve under the committee bill. There is no need for an arbitrary limitation as suggested by his amendment. I know that a number of Members feel strongly about it, however, and I think the 50-percent compromise we have offered is a constructive alternative.

Mr. STEVENSON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. STEVENSON. A candidate, in both cases, has the option of taking pri-

ivate financing, as opposed to public financing. The only difference is whether it is going to be 62 percent from public sources or 75 percent.

Mr. KENNEDY. That is true only if matching public funds are fully used. If they are not used at all, the difference is 50 percent versus 25 percent. I say to the Senator that I have offered an amendment which I think is a compromise between the committee bill and the position which has been proposed by the Senator from Illinois.

Let me point out that if the Senator from Illinois or any other Member of Congress or any challenger wants to say, "I am going to run my campaign on \$1 contributions or \$5 contributions," he can do so. Yet, the Senator says that this is the goal of the Senator from Illinois. Also, if he says, "I will take 25 percent public and raise the rest on \$5 campaign contributions," he can do that at the present time, under the committee bill.

The Senator is putting an arbitrary and a mandatory limitation on how much can be used in public funds. Under the goal of the Senator from Illinois, a candidate can say, "I want to take 25 percent public financing, and then I am going to take every bit of money I can get in \$1 contributions." He would be able to do that under the Cannon proposal. Why does he want to make that mandatory for all candidates? Why does he want to drive candidates back into the arms of his contributors?

It seems to me that the alternatives in the committee bill achieve the thrust of the Stevenson amendment. The proposal I have offered as a substitute conforms the Stevenson amendment more closely to the committee bill. It does not do it completely, but it does recognize that there are Members who want to put some limitation on public funds. I think it is a constructive middle ground between the Stevenson amendment and the committee bill.

Mr. HUMPHREY. Mr. President, so that we might simplify it, the real argument here is over one thing, and that is whether or not it will be 25 percent maximum that you can get from the public Treasury or 50 percent. There is nothing under the Kennedy amendment that would preclude somebody from taking 25 percent as the maximum amount of the public contribution, but it does leave what I say is a good deal of ambivalence as to what is going to happen. I think there ought to be standard rules.

Candidates ought to run on the basic issues of public policy. What you are going to find is that you are going to have your campaign on whether or not you are the dollar man or the public finance man, or whether or not you take 25 percent from the public Treasury or 50 percent from the public Treasury. In the meantime, the public will have no one talking about inflation or health or education. It will all be on whether or not you can be bought for 25 percent or 50 percent or not bought. All of that is just painting ourselves into a corner.

The real truth is that the problem of private financing is no accusation of corruption, which has been said here. Just

because somebody contributes does not prove you are corrupt. But it does lend itself to suspicion, doubt, and skepticism. It is my judgment that we ought to try to remove as much of that doubt as possible. We do that by putting severe limitations on the amount of a contribution. Anyone who can be bought for \$3, ought to get out of here and not stand up and call himself a man or herself a woman—at least, at prices these days. [Laughter]

Mr. President, if anybody thinks that a \$6,000 group contribution from a national committee or the labor movement or a Senate committee or the doctors, or whoever else it is, is something that will buy you, you ought to be ashamed even at the thought. I do not think that simply because somebody gets a contribution for \$3,000 maximum, that proves ipso facto that you ought to spend several years in Sing Sing. We are just fooling around telling the public that is what happens.

What we have here on matching with Federal funds is that if one gets \$100 in private money, he can get \$100 matched. That is what is in this formula of either the proposal by the Senator from Massachusetts or the Senator from Illinois. The only argument is whether or not one ought to have 50-percent frontline financing. In other words, when one declares his candidacy, he walks over and says, "Give me 50 percent of everything I am entitled to under the formula in the bill." Or he can say, "I don't think I'll take 50 percent, because I hear that my opponent is going to take 50 percent. I'll take 45 percent. That makes me a 5-percent better guy than the other fellow."

The advantage of the Stevenson amendment is that it is 25 percent.

I hope that we will stop kicking the gong around, because that is what is bothering me. I joined in the Stevenson amendment for one reason. I want a bill, and I think we can get a good bill. I believe we ought to approach public financing.

I had very serious doubts about any limitations upon the Presidential campaigns. I felt that was one office where we might have full public financing, and I voted accordingly, except when I came here to try to find out how we can get a bill. The American people have a right to expect results of us and not just an issue—going around here trying to prove some of us are more pure than Ivory soap. There is not a saint in this audience; there has not been before and there will not be one. We have our fallibilities and our weaknesses. We are trying to find an antibiotic to do something about the political infection that has gripped this country. I happen to think Dr. Stevenson has a pretty good pill, a pretty good antibiotic. Now, we have other prescriptions coming to us. Either would suffice and I grant that. The difference is the amount in the public Treasury.

I do think the issue before the Senate is: Do we want performance or do we want rhetoric; do we want an issue or do we want a bill? I think I want a bill. I think it is time for the Congress of the United States to tell the American people we are capable of legislating something

around here that will be passed, signed, and become law.

Mr. DOLE. Mr. President, I agree with the Senator from Minnesota. I think he has put his finger on the matter precisely when he said the important thing is disclosure and a limitation on contributions. We can have both without public financing.

The Senator from Minnesota underscored another point. Every Senator will be trotting around saying, "I did not take as much as he did from the Public Treasury. I raised my money." As I stated there will be T-shirts that will have printed on them, "Your tax dollar at work," and on the back there will be printed, "Total public financing."

I offered an amendment yesterday that should have been agreed to and that was that on every bumper sticker, emery board, political advertisement, there would be printed, "Paid for with public funds." We are always happy to say, "Printed at private expense" when we send out a newsletter. If we are going to take it out of the Treasury, why not take all of it out, and why just half? I am waiting for the Watergate Committee to make its recommendations. Those recommendations are due on May 28, and we are trying to find a way to get into the Treasury before the report. I recall what the Senator from North Carolina (Mr. ERVIN) and the Senator from Tennessee (Mr. BAKER) said when those hearings commenced last May.

One thing that both Senators underscored was the fact that legislative recommendations would be forthcoming. But we are too impatient. I do not believe we would lose much time waiting for the recommendations of that committee. They have heard hundreds of witnesses. They may have many good suggestions. But I think we should decide whether we want to be 100 percent Federal candidates, 50 percent, or 62½ percent, or disclose our contributions and limit expenditures, and let our campaigns be financed as they have been in the past.

Mr. STEVENSON. Mr. President, all I am trying to say in this amendment is that we must do something with respect to big contributions and corrupt contributions, but let us not pay a higher price than necessary.

I am a candidate for reelection in Illinois. Under my proposal I could, if my amendment were in effect, receive up to \$550,000 from the U.S. Treasury. Under the Kennedy proposal I could receive up to \$675,000. It is a difference of degree. I would not feel very good about accepting any money from the Treasury, but that is the price that has to be paid to get rid of the big contributions.

We do not have to go this high to get rid of the big contributions; certainly, we would not in Illinois. Mr. President, you would not have to pay that high a price at the risk of driving out a healthy form of political participation.

The issue is narrow in the case of this amendment. The issue was wider in the earlier amendment. It is a question of degree. The question has been debated. I think under the Kennedy amendment we would be paying more than is neces-

sary. With all the resentment abroad in this country toward politics and politicians, far from eliminating suspicions and fears, we will increase them if we spend any more than necessary to eliminate the corrupting influence in our politics.

Mr. STEVENS. Mr. President, I have been impressed with the bipartisanship that has come out of the committee and with the way the Senator from Nevada has handled the bill. I have just arrived in the Chamber. Can the chairman of the committee tell us his point of view concerning the Kennedy amendment and the Stevenson amendment and what they would do to the bill that the committee brought to the floor?

Mr. CANNON. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. CANNON. Mr. President, first, I am sure the distinguished Senator from Illinois inadvertently used the figures as to what he would be entitled to, but he overlooked the fact that the Senator from Alabama had an earlier amendment adopted that reduces the earlier figure, so the Senator from Illinois may want to reduce his figure.

Mr. STEVENSON. I was assuming an expenditure unit of 12 cents per person of voting age.

Mr. CANNON. Mr. President, basically this boils down to the question of whether you desire or do not want private financing involved. I long felt we should go the private financing route. It was only recently that I changed my initial view after seeing the Watergate situation. I thought S. 372 with the amendment in the 1971 act would have been restrictive had they been complied with and we would not have found ourselves in this situation if the House had acted on S. 372.

We were faced with the problem of reporting a bill on the public financing issue. This we did attempt to do. We did leave the matching provision in the primary and if private financing is paid then this system is a little bit bad, because we permitted it in the primary races.

But on the other hand we have been accused of writing provisions here that make this an incumbent's bill. Frankly, I believe the amendment of the distinguished Senator from Massachusetts (Mr. KENNEDY) in this instance, if we are to go some other route, is more to the advantage of a challenger than an incumbent because a challenger is relatively unknown, and certainly less known than the incumbent, and in a primary he can go in and say, "I am entitled to up to 50 percent of the authorized limit," which would give him a leg up on the opportunity to start his campaign. Certainly, if a person can raise \$1 they will get a matching dollar under the Kennedy amendment and the Stevenson amendment. So I think it is more or less an individual view as to whether one thinks the person who wins in the primary should be able to go and say, "I would like to get 25 percent," or on the other hand, "I would like to get 50 percent." If he is going to get 50 percent,

it favors the challenger rather than an incumbent.

My personal view, I think, is that I have a vote for the Kennedy amendment, although the committee has not taken a formal position on this situation.

Mr. KENNEDY. Mr. President, back in 1971, well before Watergate, we enacted 100 percent public financing for Presidential elections.

Then we had Watergate, and now we are being asked to move backward. We have enacted 100 percent public financing for the Executive, and now we are going to enact only 25 percent for Members of the House and the Senate. That is the effect of what the Stevenson amendment will do. How can we accept such a timid reform for Congress, when we already have such a strong reform for the Executive?

What my proposal would do would be to make it 50 percent for the Senate and House. I think we have a responsibility, now that we have taken a position on how we are going to handle national elections, to apply the same system as nearly as we can to Members of the Senate and the House. With the amendment I have offered, it would provide only 50 percent. That is a very significant step back from the committee bill. But I think it is a sound compromise and one which I hope will be accepted.

If we are going to go the route of compromise, I would hope we would be willing to go halfway as far as we have gone for the Presidency. One quarter of the way is too little.

Mr. STEVENS. Mr. President, I would like to ask the Senator from Massachusetts what the substitute does with regard to financing congressional campaigns in the primary. I have not seen the amendment.

Mr. KENNEDY. It has absolutely no effect whatsoever.

Mr. STEVENS. I thank the Senator. The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts (Mr. KENNEDY) to the amendment of the Senator from Illinois (Mr. STEVENSON), as amended. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll. Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Iowa (Mr. HUGHES), the Senator from Louisiana (Mr. LONG), the Senator from Ohio (Mr. METZENBAUM), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Wyoming (Mr. MCGEE), and the Senator from Alaska (Mr. GRAVEL) are necessarily absent.

Mr. HUGH SCOTT. I announce that the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Michigan (Mr. GRIFFIN) are necessarily absent.

I also announce that the Senator from Virginia (Mr. WILLIAM L. SCOTT) is absent on official business.

The result was announced—yeas 43, nays 46, as follows:

[No. 129 Leg.]

YEAS—43

Abourezk	Hathaway	Nelson
Bayh	Huddleston	Pastore
Bentsen	Humphrey	Pell
Bible	Inouye	Percy
Biden	Jackson	Proxmire
Brooke	Javits	Ribicoff
Burdick	Kennedy	Schweiker
Cannon	Magnuson	Scott, Hugh
Case	Mathias	Stafford
Clark	McIntyre	Stevens
Cranston	Metcalf	Symington
Eagleton	Mondale	Tunney
Hart	Montoya	Williams
Hartke	Moss	
Haskell	Muskie	

NAYS—46

Aiken	Dole	McGovern
Allen	Domenici	Nunn
Baker	Domnick	Packwood
Bartlett	Eastland	Pearson
Beall	Ervin	Randolph
Bellmon	Fannin	Roth
Bennett	Gurney	Sparkman
Brock	Hansen	Stennis
Buckley	Hatfield	Stevenson
Byrd	Helms	Taft
Harry F., Jr.	Hollings	Talmadge
Byrd, Robert C.	Hruska	Thurmond
Chiles	Johnston	Tower
Cook	Mansfield	Welcker
Cotton	McClellan	Young
Curtis	McClure	

NOT VOTING—11

Church	Gravel	McGee
Fong	Griffin	Metzenbaum
Fulbright	Hughes	Scott,
Goldwater	Long	William L.

So Mr. KENNEDY's amendment to Mr. STEVENSON's amendment, as amended, was rejected.

Mr. CANNON. Mr. President, I wish to point out briefly to the Senate what we have done. Then I shall move to lay the Stevenson amendment on the table.

The first Kennedy amendment amended the Stevenson amendment so that it went back to exactly the way the provision exists in the bill at present.

The second Kennedy amendment, which was just defeated, is a matter of quibbling over 25 or 50 percent, but would change the bill in that respect with respect to general elections.

In addition, the Stevenson amendment has in it, on the last page, page 4, subparagraph (2), a provision which would again change action that the Senate took the other day by a vote of 46 to 42. This would change the language back to what it was prior to that vote.

With that explanation, I think we have discussed the whole issue completely.

Mr. President, I move to lay the Stevenson amendment on the table, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada (Mr. CANNON) to lay on the table the amendment of the Senator from Illinois (Mr. STEVENSON) as amended by the amendment of the Senator from Massachusetts (Mr. KENNEDY). The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Louisiana (Mr. LONG), the Senator from Michigan (Mr. GRIFFIN), the Senator from Missouri (Mr. DANFORTH), the Senator from Montana (Mr. CONNORS), the Senator from Nebraska (Mr. THURMOND), the Senator from New Hampshire (Mr. WADE), the Senator from New Jersey (Mr. COHEN), the Senator from New York (Mr. MOYNIHAN), the Senator from North Carolina (Mr. BRYCE), the Senator from North Dakota (Mr. BURKE), the Senator from Oklahoma (Mr. STEVENS), the Senator from Oregon (Mr. MCINTYRE), the Senator from Pennsylvania (Mr. ROSEN), the Senator from Rhode Island (Mr. CHAMBERS), the Senator from South Carolina (Mr. NICHOLS), the Senator from South Dakota (Mr. GARDNER), the Senator from Tennessee (Mr. FRANKS), the Senator from Texas (Mr. BAKER), the Senator from Utah (Mr. GRIFFIN), the Senator from Vermont (Mr. PHILLIPS), the Senator from Virginia (Mr. SCOTT), the Senator from Washington (Mr. SPARKMAN), the Senator from West Virginia (Mr. COCHRAN), the Senator from Wisconsin (Mr. MONDALE), the Senator from Wyoming (Mr. MCGEE) are necessarily absent.

ana (Mr. LONG), the Senator from Wyoming (Mr. MCGEE), and the Senator from Ohio (Mr. METZENBAUM) are necessarily absent.

Mr. HUGH SCOTT. I announce that the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Utah (Mr. BENNETT) are necessarily absent.

I also announce that the Senator from Virginia (Mr. WILLIAM L. SCOTT) is absent on official business.

The result was announced—yeas 66, nays 23, as follows:

[No. 130 Leg.]

YEAS—66

Abourezk	Fannin	Moss
Aiken	Gravel	Nelson
Baker	Gurney	Nunn
Bartlett	Hansen	Pastore
Bayh	Hart	Pearson
Bellmon	Hartke	Pell
Bentsen	Haskell	Percy
Bible	Hatfield	Proxmire
Biden	Hathaway	Randolph
Brock	Helms	Ribicoff
Brooke	Hruska	Schweiker
Buckley	Huddleston	Scott, Hugh
Burdick	Jackson	Stafford
Cannon	Javits	Stennis
Case	Johnston	Stevens
Clark	Kennedy	Symington
Cook	Magnuson	Talmadge
Cotton	Mathias	Thurmond
Curtis	McGovern	Tower
Dole	McIntyre	Tunney
Domnick	Metcalf	Williams
Eagleton	Montoya	Young

NAYS—23

Allen	Eastland	Mondale
Beall	Ervin	Muskie
Byrd	Hollings	Packwood
Byrd, Robert C.	Humphrey	Roth
Chiles	Inouye	Sparkman
Cranston	Mansfield	Stevenson
Domenici	McClellan	Taft
	McClure	Welcker

NOT VOTING—11

Bennett	Goldwater	McGee
Church	Griffin	Metzenbaum
Fong	Hughes	Scott,
Fulbright	Long	William L.

So the motion to lay on the table was agreed to.

CORRECTION OF A VOTE

Mr. MCINTYRE. Mr. President, April 3, 1974, I was present and voted "yea" on the amendment offered by the senior Senator from Colorado (Mr. DOMINICK). The Record indicates that I was necessarily absent and not voting. I therefore ask unanimous consent that the Record be corrected to reflect my presence and vote.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, the correction will be made.

FEDERAL ELECTION CAMPAIGN ACT—AMENDMENTS OF 1974

The Senate continued with the consideration of the bill (S. 3044) to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns.

"(C) \$25,000, in the case of a candidate for the office of Representative, or Delegate or Resident Commissioner to the Congress."

(2) Subsection (a) of such section is amended by adding at the end thereof the following new paragraphs:

"(3) No candidate or his immediate family may make loans or advances from their personal funds in connection with his campaign for nomination for election, or election, to Federal office unless such loan or advance is evidenced by a written instrument fully disclosing the terms and conditions of such loan or advance.

"(4) For purposes of this subsection, any such loan or advance shall be included in computing the total amount of such expenditures only to the extent of the balance of such loan or advance outstanding and unpaid."

(b) Subsection (c) of such section is amended by striking out "\$1,000" and inserting in lieu thereof "\$25,000", and by striking out "one year" and inserting in lieu thereof "five years".

(c) (1) The caption of such section 608 is amended by adding at the end thereof the following: "out of candidates' personal and family funds".

(2) The table of sections for chapter 29 of title 18, United States Code, is amended by striking out the item relating to section 608 and inserting in lieu thereof the following: "608. Limitations on contributions and expenditures out of candidates' personal and family funds."

(d) Notwithstanding the provisions of section 608 of title 18, United States Code, it shall not be unlawful for any individual who, as of the date of enactment of this Act, has outstanding any debt or obligation incurred on his behalf by any political committee in connection with his campaigns prior to January 1, 1973, for nomination for election, and for election, to Federal office, to satisfy or discharge any such debt or obligation out of his own personal funds or the personal funds of his immediate family (as such term is defined in such section 608).

CONTRIBUTION TO COMMITTEES

SEC. 203. Chapter 29 of title 18, United States Code, is amended by inserting after section 608 the following new section:

"§ 609. Identification of donee

"No political committee, other than an authorized committee, may accept contributions from individual contributors unless such contributors designate in writing the name of the candidate or authorized committee to which the contribution shall be given."

PROHIBITION OF CONTRIBUTIONS AND EXPENDITURES BY FOREIGN INDIVIDUALS

SEC. 204. Section 613 of title 18, United States Code, is amended—

(a) by adding to the section caption the following: "or drawn on foreign banks";

(b) by inserting immediately before "Whoever" at the beginning of the first paragraph the following: "(a)"; and

(c) by adding at the end thereof the following new subsection:

"(b) No person may make a contribution in the form of a written instrument drawn on a foreign bank. Violation of the provisions of this subsection is punishable by a fine not to exceed \$5,000, imprisonment not to exceed five years, or both."

LIMITATIONS ON POLITICAL CONTRIBUTIONS; EMBEZZLEMENT OR CONVERSION OF CAMPAIGN FUNDS

SEC. 205. (a) Chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following new sections:

"§ 614. Limitations on contributions

"(a) During any calendar year—

"(1) no person may make a contribution to, or for the benefit of, a candidate for that

candidate's campaign for nomination for election, or election, which, when added to the sum of all other contributions made by that person for that campaign, exceeds \$3,000, or

"(2) no candidate may knowingly accept a contribution for his campaign from any person which, when added to the sum of all other contributions received from that person for that campaign, exceeds \$3,000.

"(b) No candidate may knowingly accept a contribution for his campaign—

"(A) from any person who—

"(i) is not a citizen of the United States, and

"(ii) is not lawfully admitted for permanent residence, as defined in section 101(a) (20) of the Immigration and Nationality Act; or

"(B) which is made in violation of section 613 of this title.

"(c) No officer or employee of a political committee or of a political party may knowingly accept any contribution made for the benefit or use of a candidate which that candidate could not accept under subsection (a) or (b).

"(d) (1) For purposes of the limitations contained in this section all contributions made by any person directly or indirectly to or for the benefit of a particular candidate, including contributions which are in any way earmarked, encumbered, or otherwise directed through an intermediary or conduit to that candidate, shall be treated as contributions from that person to that candidate.

"(2) Contributions made to, or for the benefit of, a candidate nominated by a political party for election to the office of Vice President shall be considered, for purposes of this section, to be made to, or for the benefit of, a candidate nominated by that party for election to the office of President.

"(e) (1) No individual may make a contribution during any calendar year which, when added to the sum of all other contributions made by that individual during that year, exceeds \$25,000.

"(f) Violation of the provisions of this section is punishable by a fine of not to exceed \$25,000, imprisonment for not to exceed five years, or both.

"§ 615. Form of contributions

"No person may make a contribution to, or for the benefit of, any candidate or political committee in excess, in the aggregate during any calendar year, of \$50 unless such contribution is made by a written instrument identifying the person making the contribution. Violation of the provisions of this section is punishable by a fine of not to exceed \$1,000, imprisonment for not to exceed one year, or both.

"§ 616. Embezzlement or conversion of political contributions

"(a) No candidate, officer, employee, or agent of a political committee, or person acting on behalf of any candidate or political committee, shall embezzle, knowingly convert to his own use or the use of another, or deposit in any place or in any manner except as authorized by law, any contributions or campaign funds entrusted to him or under his possession, custody, or control, or use any campaign funds to pay or defray the costs of attorney fees for the defense of any person or persons charged with the commission of a crime; or receive, conceal, or retain the same with intent to convert it to his personal use or gain, knowing it to have been embezzled or converted.

"(b) Violation of the provisions of this section is punishable by a fine of not more than \$25,000, imprisonment for not more than ten years, or both; but if the value of such property does not exceed the sum of \$100, the fine shall not exceed \$1,000 and the imprisonment shall not exceed one year. Notwithstanding the provisions of this section, any surplus or unexpended campaign funds

may be contributed to a National or State political party for political purposes, or to educational or charitable organizations, or may be preserved for use in future campaigns for elective office, or for any other lawful purpose.

"§ 617. Voting fraud.

"(a) No person shall in a Federal election—

"(1) cast, or attempt to cast, a ballot in the name of another person,

"(2) cast, or attempt to cast, a ballot if he is not qualified to vote,

"(3) forge or alter a ballot,

"(4) miscount votes,

"(5) tamper with a voting machine, or

"(6) commit any act (or fail to do anything required of him by law), with the intent of causing an inaccurate count of lawfully cast votes in any election.

"(b) A violation of the provisions of subsection (a) is punishable by a fine of not to exceed \$100,000, imprisonment for not more than ten years, or both.

"§ 618. Prohibited campaign practices

"Whoever, knowingly, with intent to mislead voters in any primary, special, or general election or disrupt the campaign of a candidate for any political office—

"(1) conveys or causes to be conveyed false instructions to a campaign worker;

"(2) places false advertisements in communications media, as defined in section 102 of the Campaign Communications Reform Act (Public Law 92-225, 86 Stat. 3);

"(3) impedes or obstructs the entry of any person lawfully entitled to attend a campaign gathering or event;

"(4) utters any false oral or written statement concerning any material fact about a candidate; or

"(5) orders goods or services on behalf of a candidate;

shall be fined not more than \$10,000 or imprisoned not more than ten years, or both."

(b) Section 591 of title 18, United States Code, is amended by striking out "and 611" and inserting in lieu thereof "611, 613, 614, 615, 616, 617, and 618."

(c) The table of sections for chapter 29 of title 18, United States Code, is amended by striking out the item relating to section 613 and inserting in lieu thereof the following new items:

"613. Contributions by agents of foreign principals or drawn on foreign banks.

"614. Limitation on contributions.

"615. Form of contributions.

"616. Embezzlement or conversion of political contributions.

"617. Voting fraud.

"618. Prohibited campaign practices."

TITLE III—CHANGES IN FEDERAL ELECTION CAMPAIGN ACT OF 1971

CHANGES IN DEFINITIONS FOR REPORTING AND DISCLOSURE

SEC. 301. (a) Section 301 of the Federal Election Campaign Act of 1971 (relating to definitions) is amended by—

(1) striking out ", and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States" in paragraph (a), and by inserting "and" before "(4)" in such paragraph;

(2) striking out paragraph (d) and inserting in lieu thereof the following:

"(d) 'political committee' means—

"(1) any committee, club, association, or other group of persons which receives contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000;

"(2) any national committee, association, or organization of a political party, any State affiliate or subsidiary of a national political party, and any State central committee of a political party; and

"(3) any committee, association, or orga-

nization engaged in the administration of a separate segregated fund described in section 610 of title 18, United States Code;";

(3) inserting in paragraph (e)(1) after "subscription" the following: "(including any assessment, fee, or membership dues)";

(4) striking out in paragraph (e)(1) "or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States" and inserting in lieu thereof the following: "or for the purpose of financing any operations of a political committee (other than a payment made or an obligation incurred by a corporation or labor organization which, under the provisions of the last paragraph of section 610 of title 18, United States Code, does not constitute a contribution by that corporation or labor organization), or for the purpose of paying, at any time, any debt or obligation incurred by a candidate or a political committee in connection with any campaign for nomination for election, or for election, to Federal office";

(5) striking out subparagraph (2) or paragraph (e), and amending subparagraph (3) such paragraph to read as follows:

"(3) funds received by a political committee which are transferred to that committee from another political committee;";

(6) redesignating subparagraphs (4) and (5) of paragraph (e) as paragraphs (3) and (4), respectively;

(7) striking out paragraph (f) and inserting in lieu thereof the following:

"(f) 'expenditure'—

"(1) means a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of—

"(A) influencing the nomination for election, or the election, of any person to Federal office, or to the office of Presidential and Vice-Presidential elector;

"(B) influencing the result of a primary election held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President;

"(C) financing any operations of a political committee; or

"(D) paying, at any time, any debt or obligation incurred by a candidate or a political committee in connection with any campaign for nomination for election, or for election, to Federal office; and

"(2) means the transfer of funds by a political committee to another political committee; but

"(3) does not include the value of services rendered by individuals who volunteer to work without compensation on behalf of a candidate."

(8) striking "and" at the end of paragraph (h);

(9) striking the period at the end of paragraph (i) and inserting in lieu thereof a semicolon; and

(10) adding at the end thereof the following new paragraphs:

"(j) 'identification' means—

"(1) in the case of an individual, his full name and the full address of his principal place of residence; and

"(2) in the case of any other person, the full name and address of that person;

"(k) 'national committee' means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of that political party at the national level, as determined by the Commission; and

"(l) 'political party' means an association, committee, or organization which nominates a candidate for election to any Federal office, whose name appears on the election ballot as the candidate of that association, committee, or organization."

(b) (1) Section 302(b) of such Act (relating to reports of contributions in excess of \$10) is amended by striking "the name and address (occupation and principal place of business, if any)" and inserting "of the contribution and the identification".

(2) Section 302(c) of such Act (relating to detailed accounts) is amended by striking "full name and mailing address (occupation and the principal place of business, if any)" in paragraphs (2) and (4) and inserting in each such paragraph "identification".

(3) Section 302(c) of such Act is further amended by striking the semicolon at the end of paragraph (2) and inserting "and, if a person's contributions aggregate more than \$100, the account shall include occupation, and the principal place of business (if any);".

REGISTRATION OF CANDIDATES AND POLITICAL COMMITTEES

Sec. 302. (a) Section 303 of the Federal Election Campaign Act of 1971 (relating to registration of political committees; statements) is amended by redesignating subsections (a) through (d) as (b) through (e), respectively, and by inserting after "Sec. 303." the following new subsection (a):

"(a) Each candidate shall, within ten days after the date on which he has qualified under State law as a candidate, or on which he, or any person authorized by him to do so, has received a contribution or made an expenditure in connection with his campaign or for the purpose of preparing to undertake his campaign, file with the Commission a registration statement in such form as the Commission may prescribe. The statement shall include—

"(1) the identification of the candidate, and any individual, political committee, or other person he has authorized to receive contributions or make expenditures on his behalf in connection with his campaign;

"(2) the identification of his campaign depositories, together with the title and number of each account at each such depository which is to be used in connection with his campaign, any safety deposit box to be used in connection therewith, and the identification of each individual authorized by him to make any expenditure or withdrawal from such account or box; and

"(3) such additional relevant information as the Commission may require."

(b) The first sentence of subsection (b) of such section (as redesignated by subsection (a) of this section) is amended to read as follows: "The treasurer of each political committee shall file with the Commission a statement of organization within ten days after the date on which the committee is organized."

(c) The second sentence of such subsection (b) is amended by striking out "this Act" and inserting in lieu thereof the following: "The Federal Election Campaign Act Amendments of 1974".

(d) Subsection (c) of such section (as redesignated by subsection (a) of this section) is amended by—

(1) inserting "be in such form as the Commission shall prescribe, and shall" after "The statement of organization shall";

(2) striking out paragraph (3) and inserting in lieu thereof the following:

"(3) the geographic area or political jurisdiction within which the committee will operate, and a general description of the committee's authority and activities;"; and

(3) striking out paragraph (9) and inserting in lieu thereof the following:

"(9) the name and address of the campaign depositories used by that committee, together with the title and number of each account and safety deposit box used by that committee at each depository, and the identification of each individual authorized to

make withdrawals or payments out of such account or box;".

(e) The caption of such section 303 is amended by inserting "CANDIDATES AND" after "REGISTRATION OF".

CHANGES IN REPORTING REQUIREMENTS

Sec. 303. (a) Section 304 of the Federal Election Campaign Act of 1971 (relating to reports by political committees and candidates) is amended by—

(1) inserting "(1)" after "(a)" in subsection (a);

(2) striking out "for election" each place it appears in the first sentence of subsection (a) and inserting in lieu in each such place "for nomination for election, or for election;";

(3) striking out the second sentence of subsection (a) and inserting in lieu thereof the following: "Such reports shall be filed on the tenth day of April, July, and October of each year, on the tenth day preceding an election, and on the last day of January of each year. Notwithstanding the preceding sentence, the reports required by that sentence to be filed during April, July, and October by or relating to a candidate during a year in which no Federal election is held in which he is a candidate, may be filed on the twentieth day of each month;";

(4) striking out everything after "filing" in the third sentence of subsection (a) and inserting in lieu thereof a period and the following: "If the person making any anonymous contribution is subsequently identified, the identification of the contributor shall be reported to the Commission within the reporting period within which he is identified."; and

(5) adding at the end of subsection (a) the following new paragraph:

"(2) Upon a request made by Presidential candidate or a political committee which operates in more than one State, or upon its own motion, the Commission may waive the reporting dates (other than January 31) set forth in paragraph (1), and require instead that such candidates or political committees file reports not less frequently than monthly. The Commission may not require a Presidential candidate or a political committee operating in more than one State to file more than eleven reports (not counting any report to be filed on January 31) during any calendar year. If the Commission acts on its own motion under this paragraph with respect to a candidate or a political committee, that candidate or committee may obtain judicial review in accordance with the provisions of chapter 7 of title 5, United States Code."

(b) (1) Section 304(b) of such Act (relating to reports by political committees and candidates) is amended by striking "full name and mailing address (occupation and the principal place of business, if any)" in paragraphs (9) and (10) and inserting in lieu thereof in each such paragraph "identification".

(2) Subsection (b) (5) of such section 304 is amended by striking out "lender and endorsers" and inserting in lieu thereof "lender, endorsers, and guarantors".

(c) Subsection (b) (12) of such section is amended by inserting before the semicolon the following: "together with a statement as to the circumstances and conditions under which any such debt or obligation is extinguished and the consideration therefor".

(d) Subsection (b) of such section is amended by—

(1) striking the "and" at the end of paragraph (12); and

(2) redesignating paragraph (13), as (14), and by inserting after paragraph (12) the following new paragraph:

"(13) such information as the Commission may require for the disclosure of the nature, amount, source, and designated re-

ipient of any earmarked, encumbered, or restricted contribution or other special fund; and”.

(e) The first sentence of subsection (c) of such section is amended to read as follows: “The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, and during such additional periods of time as the Commission may require.”

(f) Such section 304 is amended by adding at the end thereof the following new subsections:

“(d) This section does not require a Member of Congress to report, as contributions received or as expenditures made, the value of photographic, matting, or recording services furnished to him before the first day of January of the year preceding the year in which his term of office expires if those services were furnished to him by the Senate Recording Studio, the House Recording Studio, or by any individual whose pay is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives and who furnishes such services as his primary duty as an employee of the Senate or House of Representatives, or if such services were paid for by the Republican or Democratic Senatorial Campaign Committee, the Democratic National Congressional Committee, or the National Republican Congressional Committee.

“(e) Every person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount in excess of \$100 within a calendar year shall file with the Commission a statement containing the information required by this section. Statements required by this subsection shall be filed on the dates on which reports by political committees are filed but need not be cumulative.”

(g) The caption of such section 304 is amended to read as follows:

“REPORTS”.

CAMPAIGN ADVERTISEMENTS

SEC. 304. Section 305 of the Federal Election Campaign Act of 1971 (relating to reports by others than political committees) is amended to read as follows:

“REQUIREMENTS RELATING TO CAMPAIGN ADVERTISING

“Sec. 305. (a) No person shall cause any political advertisement to be published unless he furnishes to the publisher of the advertisement his identification in writing, together with the identification of any person authorizing him to cause such publication.

“(b) Any published political advertisement shall contain a statement, in such form as the Commission may prescribe, of the identification of the person authorizing the publication of that advertisement.

“(c) Any published who publishes any political advertisement shall maintain such records as the Commission may prescribe for a period of two years after the date of publication setting forth such advertisement and any material relating to identification furnished to him in connection therewith, and shall permit the public to inspect and copy those records at reasonable hours.

“(d) To the extent that any person sells space in any newspaper or magazine to a candidate or his agent for Federal office, or nomination thereto, in connection with such candidate's campaign for nomination for, or election to, such office, the charges made for the use of such space in connection with his campaign shall not exceed the charges made for comparable use of such space for other purposes.

“(e) Any political committee shall include on the face or front page of all literature and advertisements soliciting contributions the following notice:

“A copy of our report filed with the Federal Election Commission is available for purchase from the Federal Election Commission, Washington, D.C.”

“(f) As used in this section, the term—

“(1) ‘political advertisement’ means any matter advocating the election or defeat of any candidate but does not include any bona fide news story (including interviews, commentaries, or other words prepared for and published by any newspaper, magazine, or other periodical publication the publication of which work is not paid for by any candidate, political committee, or agent thereof); and

“(2) ‘published’ means publication in a newspaper, magazine, or other periodical publication, distribution of printed leaflets, pamphlets, or other documents, or display through the use of any outdoor advertising facility, and such other use of printed media as the Commission shall prescribe.”

WAIVER OF REPORTING REQUIREMENTS

SEC. 305. Section 306(c) of the Federal Election Campaign Act of 1971 (relating to formal requirements respecting reports and statements) is amended to read as follows:

“(c) The Commission may, by published regulation of general applicability, relieve—

“(1) any category of candidates of the obligation to comply personally with the requirements of subsections (a) through (e) of section 304, if it determines that such action will not have any adverse effect on the purposes of this title, and

“(2) any category of political committees of the obligation to comply with such section if such committees—

“(A) primarily support persons seeking State or local office, and

“(B) do not operate in more than one State or do not operate on a statewide basis.”

CONTRIBUTIONS IN THE NAME OF ANOTHER PERSON

SEC. 306. Section 310 of the Federal Election Campaign Act of 1971 (relating to prohibition of contributions in name of another) is redesignated as section 315 of such Act and amended by inserting after “another person”, the first time it appears, the following: “or knowingly permit his name to be used to effect such a contribution”.

ROLE OF POLITICAL PARTY ORGANIZATION IN PRESIDENTIAL CAMPAIGNS; USE OF EXCESS CAMPAIGN FUNDS; PENALTIES

SEC. 307. Title III of the Federal Election Campaign Act of 1971 is amended by striking out section 311 and by adding at the end of such title the following new sections:

“APPROVAL OF PRESIDENTIAL CAMPAIGN EXPENDITURES BY NATIONAL COMMITTEE

SEC. 316. (a) No expenditure in excess of \$1,000 shall be made by or on behalf of any candidate who has received the nomination of his party for President or Vice President unless such expenditure has been specifically approved by the chairman or treasurer of that political party's national committee or the designated representative of that national committee in the State where the funds are to be expended.

“(b) Each national committee approving expenditures under subsection (a) shall register under section 303 as a political committee and report each expenditure it approves as if it had made that expenditure, together with the identification of the person seeking approval and making the expenditure.

“(c) No political party shall have more than one national committee.

“USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES

“Sec. 317. Amounts received by a candidate as contributions that are in excess of any amount necessary to defray his campaign expenses (after the application of

section 507(b)(1) of this Act), and any other amounts contributed to an individual for the purpose of supporting his activities as a holder of Federal office, may be used by that candidate or individual, as the case may be, to defray any ordinary and necessary expenses incurred by him in connection with his duties as a holder of Federal office, or may be contributed by him to any organization described in section 170(c) of the Internal Revenue Code of 1954. To the extent any such contribution, amount contributed, or expenditure thereof is not otherwise required to be disclosed under the provisions of this title, such contribution, amount contributed, or expenditure shall be fully disclosed in accordance with regulations promulgated by the Commission. The Commission is authorized to promulgate such regulations as may be necessary to carry out the provisions of this section.

“PENALTY FOR VIOLATIONS

“Sec. 318. (a) Violation of any provision of this title is a misdemeanor punishable by a fine of not more than \$10,000, imprisonment for not more than one year, or both.

“(b) Violation of any provision of this title with knowledge or reason to know that the action committed or omitted is a violation of this title is punishable by a fine of not more than \$10,000, imprisonment for not more than five years, or both.”

APPLICABLE STATE LAWS

SEC. 308. Section 403 of the Federal Election Campaign Act of 1971 is amended to read as follows:

“EFFECT ON STATE LAW

“Sec. 403. The provisions of this Act, and of regulations promulgated under this Act, preempt any provision of State law with respect to campaigns for nomination for election, or for election, to Federal office (as such term is defined in section 301(c)).”

TITLE IV—FEDERAL ELECTION COMMISSION

ESTABLISHMENT OF FEDERAL ELECTION COMMISSION; CENTRAL CAMPAIGN COMMITTEES; CAMPAIGN DEPOSITORIES

SEC. 401. (a) Title III of the Federal Election Campaign Act of 1971 (relating to disclosure of Federal campaign funds) is amended by redesignating section 308 as section 312, and by inserting after section 307 the following new sections:

“FEDERAL ELECTION COMMISSION

“Sec. 308. (a) (1) There is established, as an independent establishment of the executive branch of the Government of the United States, a commission to be known as the Federal Election Commission.

“(2) The Commission shall be composed of the Comptroller General, who shall serve without the right to vote, and seven members who shall be appointed by the President by and with the advice and consent of the Senate. Of the seven members—

“(A) two shall be chosen from among individuals recommended by the President pro tempore of the Senate, upon the recommendations of the majority leader of the Senate and the minority leader of the Senate; and

“(B) two shall be chosen from among individuals recommended by the Speaker of the House of Representatives, upon the recommendations of the majority leader of the House and the minority leader of the House.

The two members appointed under subparagraph (A) shall not be affiliated with the same political party; nor shall the two members appointed under subparagraph (B). Of the members not appointed under such subparagraphs, not more than two shall be affiliated with the same political party.

“(3) Members of the Commission, other than the Comptroller General, shall serve for terms of seven years, except that, of the members first appointed—

"(A) one of the members not appointed under subparagraph (A) or (B) of paragraph (2) shall be appointed for a term ending on the April thirtieth first occurring more than six months after the date on which he is appointed;

"(B) one of the members appointed under paragraph (2) (A) shall be appointed for a term ending one year after the April thirtieth on which the term of the member referred to in subparagraph (A) of this paragraph ends;

"(C) one of the members appointed under paragraph (2) (B) shall be appointed for a term ending two years thereafter;

"(D) one of the members not appointed under subparagraph (A) or (B) of paragraph (2) shall be appointed for a term ending six years thereafter.

"(E) one of the members appointed under paragraph (2) (A) shall be appointed for a term ending four years thereafter;

"(F) one of the members appointed under paragraph (2) (B) shall be appointed for a term ending five years thereafter; and

"(G) one of the members not appointed under subparagraph (A) or (B) of paragraph (2) shall be appointed for a term ending six years thereafter.

"(4) Members shall be chosen on the basis of their maturity, experience, integrity, impartiality, and good judgment. A member may be reappointed to the Commission only once.

"(5) An individual appointed to fill a vacancy occurring other than by the expiration of a term of office shall be appointed only for the unexpired term of the member he succeeds. Any vacancy occurring in the office of member of the Commission shall be filled in the manner in which that office was originally filled.

"(6) The Commission shall elect a Chairman and a Vice Chairman from among its members for a term of two years. The Chairman and the Vice Chairman shall not be affiliated with the same political party. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

"(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission. Four members of the Commission shall constitute a quorum.

"(c) The Commission shall have an official seal which shall be judicially noticed.

"(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the money it has disbursed; and shall make such further reports on the matters within its jurisdiction and such recommendations for further legislation as may appear desirable.

"(e) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all its powers in any State.

"(f) The Commission shall appoint a General Counsel and an Executive Director to serve at the pleasure of the Commission. The General Counsel shall be the chief legal officer of the Commission. The Executive Director shall be responsible for the administrative operations of the Commission and shall perform such other duties as may be delegated or assigned to him from time to time by regulations or orders of the Commission. However, the Commission shall not delegate the making of regulations regarding elections to the Executive Director.

"(g) The Chairman of the Commission shall appoint and fix the compensation of such personnel as are necessary to fulfill the duties of the Commission in accordance with the provisions of title 5, United States Code.

"(h) The Commission may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

"(1) In carrying out its responsibilities under this title, the Commission shall, to the fullest extent practicable, avail itself of the assistance, including personnel and facilities, of the General Accounting Office and the Department of Justice. The Comptroller General and the Attorney General may make available to the Commission such personnel, facilities, and other assistance, with or without reimbursement, as the Commission may request.

"(j) The provisions of section 7324 of title 5, United States Code, shall apply to members of the Commission notwithstanding the provisions of subsection (d) (3) of such section.

"(k) (1) Whenever the Commission submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit a copy of that estimate or request to the Congress.

"(2) Whenever the Commission submits any legislative recommendations, or testimony, or comments on legislation requested by the Congress or by any Member of Congress to the President or the Office of Management and Budget, it shall concurrently transmit a copy thereof to the Congress or to the Member requesting the same. No officer or agency of the United States shall have any authority to require the Commission to submit its legislative recommendations, or testimony, or comments on legislation, to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress.

"POWERS OF COMMISSION

"SEC. 309. (a) The Commission has the power—

"(1) to require, by special or general orders, any person to submit in writing such reports and answers to questions as the Commission may prescribe; and such submission shall be made within such reasonable period and under oath or otherwise as the Commission may determine;

"(2) to administer oaths;

"(3) to require by subpoena, signed by the Chairman or the Vice Chairman, the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

"(4) in any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths and, in such instances, to compel testimony and the production of evidence in the same manner as authorized under paragraph (3) of this subsection;

"(5) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States;

"(6) to initiate (through civil proceedings for injunctive relief and through presentations to Federal grand juries), prosecute, defend, or appeal any civil or criminal action in the name of the Commission for the purpose of enforcing the provisions of this Act and of sections 602, 608, 610, 611, 612, 613, 614, 615, 616, and 617 of title 18, United States Code, through its General Counsel;

"(7) to delegate any of its functions or powers, other than the power to issue subpoenas under paragraph (3), to any officer or employee of the Commission; and

"(8) to make, amend, and repeal such rules, pursuant to the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of this Act.

"(b) Any United States district court within the jurisdiction of which any inquiry is carried on, may, upon petition by the Commission, in case of refusal to obey a subpoena or order of the Commission issued under subsection (a) of this section, issue an order requiring compliance therewith. Any failure to obey the order of the court may be punished by the court as a contempt thereof.

"(c) No person shall be subject to civil liability to any person (other than the Com-

mission or the United States) for disclosing information at the request of the Commission.

"(d) Notwithstanding any other provision of law, the Commission shall be the primary civil and criminal enforcement agency for violations of the provisions of this Act, and of sections 602, 608, 610, 611, 612, 613, 614, 615, 616, and 617 of title 18, United States Code. Any violation of any such provision shall be prosecuted by the Attorney General or Department of Justice personnel only after consultation with, and with the consent of, the Commission.

"(e) (1) Any person who violates any provision of this Act or of section 602, 608, 610, 611, 612, 613, 614, 615, 616, or 617 of title 18, United States Code, may be assessed a civil penalty by the Commission under paragraph (2) of this subsection of not more than \$10,000 for each such violation. Each occurrence of a violation of this Act and each day of noncompliance with a disclosure requirement of this title or an order of the Commission issued under this section shall constitute a separate offense. In determining the amount of the penalty the Commission shall consider the person's history of previous violations, the appropriateness of such penalty to the financial resources of the person charged, the gravity of the violation, and the demonstrated good faith of the person charged in attempting to achieve rapid compliance after notification of a violation.

"(2) A civil penalty shall be assessed by the Commission by order only after the person charged with a violation has been given an opportunity for a hearing and the Commission has determined, by decision incorporating its findings of fact therein, that a violation did occur, and the amount of the penalty. Any hearing under this section shall be of record and shall be held in accordance with chapter 5 of title 5, United States Code.

"(3) If the person against whom a civil penalty is assessed fails to pay the penalty, the Commission shall file a petition for enforcement of its order assessing the penalty in any appropriate district court of the United States. The petition shall designate the person against whom the order is sought to be enforced as the respondent. A copy of the petition shall forthwith be sent by registered or certified mail to the respondent and his attorney of record, and thereupon the Commission shall certify and file in such court the record upon which such order sought to be enforced was issued. The court shall have jurisdiction to enter a judgment enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order and decision of the Commission or it may remand the proceedings to the Commission for such further action as it may direct. The court may determine de novo all issues of law but the Commission's findings of fact, if supported by substantial evidence, shall be conclusive.

"(f) Upon application made by any individual holding Federal office, any candidate, or any political committee, the Commission, through its General Counsel, shall provide within a reasonable period of time an advisory opinion, with respect to any specific transaction or activity inquired of, as to whether such transaction or activity would constitute a violation of any provision of this Act or of any provision of title 18, United States Code, over which the Commission has primary jurisdiction under subsection (d).

"CENTRAL CAMPAIGN COMMITTEES

"SEC. 310. (a) Each candidate shall designate one political committee as his central campaign committee. A candidate for nomination for election, or for election, to the office of President, may also designate one political committee in each State in which he is a candidate as his State campaign committee for that State. The designation shall be made in writing, and a copy of the designation, together with such information as the Commission may require, shall be furnished

to the Commission upon the designation of any such committee.

"(b) No political committee may be designated as the central campaign committee of more than one candidate. The central campaign committee, and each State campaign committee, designated by a candidate nominated by a political party for election to the office of President shall be the central campaign committee and the State campaign committee of the candidate nominated by that party for election to the office of Vice President.

"(c) (1) Any political committee authorized by a candidate to accept contributions or make expenditures in connection with his campaign for nomination for election, or for election, which is not a central campaign committee or a State campaign committee, shall furnish each report required of it under section 304 (other than reports required under section 311(b)) to that candidate's central campaign committee at the time it would, but for this subsection be required to furnish that report to the Commission. Any report properly furnished to a central campaign committee under this subsection shall be, for purposes of this title, held and considered to have been furnished to the Commission at the time at which it was furnished to such central campaign committee.

"(2) The Commission may, by regulation, require any political committee receiving contributions or making expenditures in a State on behalf of a candidate who, under subsection (a), has designated a State campaign committee for that State to furnish its reports to that State campaign committee instead of furnishing such reports to the central campaign committee of that candidate.

"(3) The Commission may require any political committee to furnish any report directly to the Commission.

"(d) Each political committee which is a central campaign committee or a State campaign committee shall receive all reports filed with or furnished to it by other political committees, and consolidate and furnish the reports to the Commission, together with its own reports and statements, in accordance with the provisions of this title and regulations prescribed by the Commission.

"CAMPAIGN DEPOSITORIES"

"SEC. 311. (a) (1) Each candidate shall designate one or more National or State banks as his campaign depositories. The central campaign committee of that candidate, and any other political committee authorized by him to receive contributions or to make expenditures on his behalf, shall maintain a checking account at a depository so designated by the candidate and shall deposit any contributions received by that committee into that account. A candidate shall deposit any payment received by him under section 505 of this Act in the account maintained by his central campaign committee. No expenditure may be made by any such committee on behalf of a candidate or to influence his election except by check drawn on that account, other than petty cash expenditures as provided in subsection (b).

"(2) The treasurer of each political committee (other than a political committee authorized by a candidate to receive contributions or to make expenditures on his behalf) shall designate one or more National or State banks as campaign depositories of that committee, and shall maintain a checking account for that committee at each such depository. All contributions received by that committee shall be deposited in such an account. No expenditure may be made by that committee except by check drawn on that account, other than petty cash expenditures as provided in subsection (b).

"(b) A political committee may maintain a petty cash fund out of which it may make

expenditures not in excess of \$100 to any person in connection with a single purchase or transaction. A record of petty cash disbursements shall be kept in accordance with requirements established by the Commission, and such statements and reports thereof shall be furnished to the Commission as it may require.

"(c) A candidate for nomination for election, or for election, to the office of President may establish one such depository in each such State, which shall be considered by his State campaign committee for that State and any other political committee authorized by him to receive contributions or to make expenditures on his behalf in that State, under regulations prescribed by the Commission, as his single campaign depository. The campaign depository of the candidate of a political party for election to the office of Vice President shall be the campaign depository designated by the candidate of that party for election to the office of President."

(b) (1) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(60) Members (other than the Comptroller General), Federal Election Commission (7)."

(2) Section 5315 of such title is amended by adding at the end thereof the following new paragraphs:

"(98) General Counsel, Federal Election Commission.

"(99) Executive Director, Federal Election Commission."

(c) Until the appointment and qualification of all the members of the Federal Election Commission and its General Counsel and until the transfer provided for in this subsection, the Comptroller General, the Secretary of the Senate, and the Clerk of the House of Representatives shall continue to carry out their responsibilities under title I and title III of the Federal Election Campaign Act of 1971 as such titles existed on the day before the date of enactment of this Act. Upon the appointment of all members of the Commission and its General Counsel, the Comptroller General, the Secretary of the Senate, and the Clerk of the House of Representatives shall meet with the Commission and arrange for the transfer, within thirty days after the date on which all such members and the General Counsel are appointed, of all records, documents, memorandums, and other papers associated with carrying out their responsibilities under title I and title III of the Federal Election Campaign Act of 1971.

(d) Title III of the Federal Election Campaign Act of 1971 is amended by—

(1) amending section 301(g) (relating to definitions) to read as follows:

"(g) 'Commission' means the Federal Election Commission;";

(2) striking out "supervisory officer" in section 302(d) and inserting "Commission";

(3) striking out section 302(f) (relating to organization of political committees);

(4) amending section 303 (relating to registration of political committees; statements) by—

(A) striking out "supervisory officer" each time it appears therein and inserting "Commission"; and

(B) striking out "he" in the second sentence of subsection (b) of such section (as redesignated by section 203(a) of this Act) and inserting "it";

(5) amending section 304 (relating to reports by political committees and candidates) by—

(A) striking out "appropriate supervisory officer" and "him" in the first sentence thereof and inserting "Commission" and "it", respectively; and

(B) striking out "supervisory officer" where it appears in the third sentence of subsection

(a) and in paragraphs (12) and (14) (as redesignated by section 204(d) (2) of this Act) of subsection (b), and inserting "Commission";

(6) striking out "supervisory officer" each place it appears in section 306 (relating to formal requirements respecting reports and statements) and inserting "Commission";

(7) striking out "Comptroller General of the United States" and "he" in section 307 (relating to reports on convention financing) and inserting "Federal Election Commission" and "it", respectively;

(8) striking out "SUPERVISORY OFFICER" in the caption of section 312 (as redesignated by subsection (a) of this section) (relating to duties of the supervisory officer) and inserting "COMMISSION";

(9) striking out "supervisory officer" in section 312(a) (as redesignated by subsection (a) of this section) the first time it appears and inserting "Commission";

(10) amending section 312(a) (as redesignated by subsection (a) of this section) by—

(A) striking out "him" in paragraph (1) and inserting "it";

(B) striking out "him" in paragraph (4) and inserting "it"; and

(C) striking out "he" each place it appears in paragraphs (7) and (9) and inserting "it";

(11) striking out "supervisory officer" in section 312(b) (as redesignated by subsection (a) of this subsection) and inserting "Commission";

(12) amending subsection (c) of section 312 (as redesignated by subsection (a) of this section) by—

(A) striking out "Comptroller General" each place it appears therein and inserting "Commission", and striking out "his" in the second sentence of such subsection and inserting "its"; and

(B) striking out the last sentence thereof; and

(13) amending subsection (d) (1) of section 312 (as redesignated by subsection (a) of this section) by—

(A) striking out "supervisory officer" each place it appears therein and inserting "Commission";

(B) striking out "he" the first place it appears in the second sentence of such section and inserting "it"; and

(C) striking out "the Attorney General on behalf of the United States" and inserting "the Commission".

INDEXING AND PUBLICATION OF REPORTS

SEC. 402. Section 312(a) (6) (as redesignated by this Act) of the Federal Election Campaign Act of 1971 (relating to duties of the supervisory officer) is amended to read as follows:

"(6) to compile and maintain a cumulative index listing all statements and reports filed with the Commission during each calendar year by political committees and candidates, which the Commission shall cause to be published in the Federal Register no less frequently than monthly during even-numbered years and quarterly in odd-numbered years and which shall be in such form and shall include such information as may be prescribed by the Commission to permit easy identification of each statement, report, candidate, and committee listed, at least as to their names, the dates of the statements and reports, and the number of pages in each, and the Commission shall make copies of statements and reports listed in the index available for sale, direct or by mail, at a price determined by the Commission to be reasonable to the purchaser;";

JUDICIAL REVIEW

SEC. 403. Title III of the Federal Election Campaign Act of 1971 is amended by inserting after section 312 (as redesignated by this Act) the following new section:

"JUDICIAL REVIEW

"SEC. 313. (a) Any agency action by the Commission made under the provisions of this Act shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court by any interested person. Any petition filed pursuant to this section shall be filed within thirty days after the agency action by the Commission for which review is sought.

"(b) The Commission, the national committee of any political party, and individuals eligible to vote in an election for Federal office, are authorized to institute such actions, including actions for declaratory judgment or injunctive relief, as may be appropriate to implement any provisions of this Act.

"(c) The provisions of chapter 7 of title 5, United States Code, apply to judicial review of any agency action, as defined in section 551 of title 5, United States Code, by the Commission.

FINANCIAL ASSISTANCE TO STATES TO PROMOTE COMPLIANCE

SEC. 404. Section 309 of the Federal Election Campaign Act of 1971 (relating to statements filed with State officers) is redesignated as section 314 of such Act and amended by—

(1) striking out "a supervisory officer" in subsection (a) and inserting in lieu thereof "the Commission";

(2) striking out "in which an expenditure is made by him or on his behalf" in subsection (a) (1) and inserting in lieu thereof the following: "in which he is a candidate or in which substantial expenditures are made by him or on his behalf"; and

(3) adding the following new subsection: "(c) There is authorized to be appropriated to the Commission in each fiscal year the sum of \$500,000, to be made available in such amounts as the Commission deems appropriate to the States for the purpose of assisting them in complying with their duties as set forth in this section."

AUTHORIZATION OF APPROPRIATIONS

SEC. 405. Title III of the Federal Election Campaign Act of 1971 is amended by adding at the end of such title the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 319. There are authorized to be appropriated to the Commission, for the purpose of carrying out its functions under this title and under chapter 29 of title 18, United States Code, not to exceed \$5,000,000 for the fiscal year ending June 30, 1974, and not to exceed \$5,000,000 for each fiscal year thereafter.

TITLE V—DISCLOSURE OF FINANCIAL INTERESTS BY CERTAIN FEDERAL OFFICERS AND EMPLOYEES

FEDERAL EMPLOYEE FINANCIAL DISCLOSURE REQUIREMENTS

SEC. 501. (a) Any candidate of a political party in a general election for the office of a Member of Congress who, at the time he becomes a candidate, does not occupy any such office, shall file within one month after he becomes a candidate for such office, and each Member of Congress, each officer and employee of the United States (including any member of a uniformed service) who is compensated at a rate in excess of \$25,000 per annum, any individual occupying the position of an officer or employee of the United States who performs duties of the type generally performed by an individual occupying grade GS-16 of the General Schedule or any higher grade or position (as determined by the Federal Election Commission regardless of the rate of compensation of such individual), the President, and the Vice President shall file annually, with the Commission a report containing a full and complete statement of—

(1) the amount and source of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from his spouse or any member of his immediate family) received by him or by him and his spouse jointly during the preceding calendar year which exceeds \$100 in amount or value, including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, and other facilities received by him in kind;

(2) the identity of each asset held by him, or by him and his spouse jointly which has a value in excess of \$1,000, and the amount of each liability owed by him or by him and his spouse jointly, which is in excess of \$1,000 as of the close of the preceding calendar year;

(3) any transactions in securities of any business entity by him or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction during the preceding calendar year if the aggregate amount involved in transactions in the securities of such business entity exceeds \$1,000 during such year;

(4) all transactions in commodities by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction during the preceding calendar year if the aggregate amount involved in such transactions exceeds \$1,000; and

(5) any purchase or sale, other than the purchase or sale of his personal residence, of real property or any interest therein by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction, during the preceding calendar year if the value of property involved in such purchase or sale exceeds \$1,000.

(b) Reports required by this section (other than reports so required by candidates of political parties) shall be filed not later than May 15 of each year. In the case of any person who ceases, prior to such date in any year, to occupy the office or position the occupancy of which imposes upon him the reporting requirements contained in subsection (a) shall file such report on the last day he occupies such office or position, or on such later date, not more than three months after such last day, as the Commission may prescribe.

(c) Reports required by this section shall be in such form and detail as the Commission may prescribe. The Commission may provide for the grouping of item of income, sources of income, assets, liabilities, dealings in securities or commodities, and purchases and sales of real property, when separate itemization is not feasible or is not necessary for an accurate disclosure of the income, net worth, dealing in securities and commodities, or purchases and sales of real property of any individual.

(d) Any person who willfully fails to file a report required by this section or who knowingly and willfully files a false report under this section, shall be fined \$2,000, or imprisoned for not more than five years, or both.

(e) All reports filed under this section shall be maintained by the Commission as public records, which, under such reasonable regulations as it shall prescribe, shall be available for inspection by members of the public.

(f) For the purposes of any report required by this section, an individual shall be considered to have been President, Vice President, a Member of Congress, an officer or employee of the United States, or a member of a uniformed service, during any calendar year

if he served in any such position for more than six months during such calendar year.

(g) As used in this section—

(1) The term "income" means gross income as defined in section 61 of the Internal Revenue Code of 1954.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

(4) The term "transactions in securities or commodities" means any acquisition, holding, withholding, use, transfer, or other disposition involving any security or commodity.

(5) The term "Member of Congress" means a Senator, a Representative, a Resident Commissioner, or a Delegate.

(6) The term "officer" has the same meaning as in section 2104 of title 5, United States Code.

(7) The term "employee" has the same meaning as in section 2105 of such title.

(8) The term "uniformed service" means any of the Armed Forces, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration.

(9) The term "immediate family" means the child, parent, grandparent, brother, or sister of an individual, and the spouses of such person.

(h) Section 554 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(i) All written communications and memorandums stating the circumstances, source, and substance of all oral communications made to the agency, or any officer or employee thereof, with respect to any case which is subject to the provisions of this section by any person who is not an officer or employee of the agency shall be made a part of the public record of such case. This subsection shall not apply to communications to any officer, employee, or agent of the agency engaged in the performance of investigative or prosecuting functions for the agency with respect to such case."

(i) The first report required under this section shall be due on the fifteenth day of May occurring at least thirty days after the date of enactment.

TITLE VI—RELATED INTERNAL REVENUE CODE AMENDMENTS

INCREASE IN POLITICAL CONTRIBUTIONS CREDIT AND DEDUCTION

SEC. 601. (a) Section 41(b) (1) of the Internal Revenue Code of 1954 (relating to maximum credit for contributions to candidates for public office) is amended to read as follows:

"(1) MAXIMUM CREDIT.—The credit allowed by subsection (a) for a taxable year shall not exceed \$25 (\$50 in the case of a joint return under section 6013)."

(b) Section 213(b) (1) of the Internal Revenue Code of 1954 (relating to amount of deduction for contributions to candidates for public office) is amended to read as follows:

"(1) AMOUNT.—The deduction under subsection (a) shall not exceed \$100 (\$200 in the case of a joint return under section 6013)."

(c) The amendments made by subsections (a) and (b) shall apply with respect to any political contribution the payment of which is made after December 31, 1973.

REPEAL OF EXISTING PROVISIONS RELATING TO PRESIDENTIAL CAMPAIGN FINANCING

SEC. 502. (a) Part VIII of subchapter A of chapter 61 of the Internal Revenue Code of 1954 (relating to designation of income tax payments to the Presidential Election Campaign Fund) is repealed. Subtitle II of such Code (relating to financing of Presidential election campaigns) is repealed.

(b) The table of parts for subchapter A

of chapter 61 of such Code is amended to strike out the last item (relating to part VIII).

(c) The amendments made by this section take effect on the date of enactment of this Act.

GIFT TAX TREATMENT OF POLITICAL CONTRIBUTIONS

Sec. 603. (a) Section 2503(b) of the Internal Revenue Code of 1964 (relating to exclusions from gifts) is amended by adding at the end thereof the following new sentence: "Gifts made to different political committees which make expenditures (including transfers of funds and contributions by a committee) for the purpose of influencing the nomination or election of any candidate for elective office shall for purposes of this subsection be deemed to have been made to that candidate unless the donor establishes to the satisfaction of the Secretary or his delegate that—

(1) at the time he made the gift he could not have been reasonably expected to know which candidate would benefit from his gift, and

(2) at no time did he direct, request, or suggest to the committee, or to any person associated with that committee, that a particular candidate should receive any benefit from his gift.

(b) The amendment made by subsection (a) shall apply with respect to gifts made on or after the date of enactment.

TITLE VII—MISCELLANEOUS PROVISIONS PRESIDENTIAL PREFERENCE PRIMARY ELECTIONS

Sec. 701. (a) Each State which conducts a Presidential preference primary election shall conduct that election only on a date occurring after the first day in May during any year in which the electors of the President and Vice President are appointed.

(b) For the purposes of this section, the term—

(1) "Presidential preference primary election" means an election conducted by a State, in whole or in part, for the purpose of—

(A) permitting the voters of that State to express their preferences for the nomination of candidates by political parties for election to the office of President, or

(B) choosing delegates to the national nominating conventions held by political parties for the purpose of nominating such candidates; and

(2) "State" means each of the several States of the United States and the District of Columbia.

CONGRESSIONAL PRIMARIES

Sec. 702. (a) If, under the law of any State, the candidate of a political party for election to the Senate or to the House of Representatives is determined by a primary election or by a convention conducted by that party, the primary election or convention shall not be held before the first Tuesday in August. If a subsequent, additional primary election is necessary to determine the nominee of any political party in a State, that additional election shall be held within thirty days after the date of the first such primary election.

(b) For purposes of this section—

(1) the term "State" means each of the several States of the United States, the Commonwealth of Puerto Rico, the territory of Guam, and the territory of the Virgin Islands; and

(2) a candidate for election as Resident Commissioner to the United States, in the case of the Commonwealth of Puerto Rico, or as Delegate to the House of Representatives, in the case of the territory of Guam or the territory of the Virgin Islands, is considered to be a candidate for election to the House of Representatives.

(c) Section 10(a)(3) of the District of Columbia Election Act (D.C. Code, sec. 1110

(a)(3)) is amended by striking out "the first Tuesday in May" and inserting in lieu thereof "the first Tuesday in August".

SUSPENSION OF FRANK FOR MASS MAILINGS IMMEDIATELY BEFORE ELECTIONS

Sec. 703. Notwithstanding any other provision of law, no Senator, Representative, Resident Commissioner, or Delegate shall make any mass mailing of a newsletter or mailing with a simplified form of address under the frank under section 3210 of title 39, United States Code, during the sixty days immediately preceding the date on which any election is held in which he is a candidate.

PROHIBITION OF FRANKED SOLICITATIONS

Sec. 704. No Senator, Representative, Resident Commissioner, or Delegate shall make any solicitation of funds by a mailing under the frank under section 3210 of title 39, United States Code.

Mr. MANSFIELD. Mr. President, my understanding is that this amendment is in the nature of a substitute to the pending bill; is that correct?

Mr. DOLE. That is correct.

Mr. MANSFIELD. Mr. President, after discussing this matter with the managers of the bill and the sponsor of the amendment, I ask unanimous consent that there be a 5-minute limitation, with time to begin running tomorrow at the hour of 11 a.m., the time to be equally divided between the manager of the bill and the sponsor of the amendment.

Mr. ALLEN. Mr. President, reserving the right to object, may I inquire if this is a complete substitute for the bill?

Mr. DOLE. The Senator from Alabama is correct.

Mr. ALLEN. 5 minutes would be sufficient—

Mr. MANSFIELD. Would the Senator make a suggestion?

Mr. ALLEN. We already have a limitation provided by rule XXII. I should like to make inquiry, does the Senator leave out the public financing in his substitute?

Mr. DOLE. There is no public financing. The limitation is \$3,000—cash contributions above \$50—no public financing. That is a departure from the pending legislation. I can discuss it tomorrow in 10 minutes to a side.

Mr. MANSFIELD. Mr. President, I will withdraw my request.

Mr. ALLEN. I would not object to 10 minutes.

Mr. MANSFIELD. Fine.

Mr. ALLEN. But we should discuss it for more than 5 minutes.

Mr. COTTON. Mr. President, the Senator from New Hampshire has not taken 1 minute's time on this whole debate yet. I wish that the time on the substitute amendment could be extended long enough so that I could have 5 minutes.

Mr. MANSFIELD. Well, Mr. President, I ask unanimous consent that there be a one-half hour time limitation on the substitute amendment of the Senator from Kansas (Mr. DOLE), the time to be equally divided and controlled between the manager and the sponsor of the bill, with 5 minutes to be allocated specifically to the Senator from New Hampshire (Mr. COTTON).

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

Mr. COTTON. I thank the Senator from Montana very much.

Mr. ALLEN. Mr. President, I ask unanimous consent that it may be in order to call for the yeas and nays on the substitute amendment of the Senator from Kansas (Mr. DOLE).

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

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that time begin running at the conclusion of morning business tomorrow. My understanding is that we have two special orders and that there will be a period for not to exceed 15 minutes for the conduct of morning business. I make that request.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the disposal of the amendment in the nature of a substitute by the distinguished Senator from Kansas (Mr. DOLE), the distinguished Senator from Iowa (Mr. CLARK) be recognized—because it had been his intention to call up one of his amendments tonight—so that it would be the pending business on tomorrow.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, perhaps should say that there was the understanding on the part of several of us that after morning business tomorrow, the disaster relief bill would be taken up, and that there would be a time limitation on it.

I wonder whether the distinguished majority leader would modify his request to provide that, following the disposition of the Dole amendment, the Senate proceed to the consideration of the disaster relief bill, and upon disposition of the bill, that the Senator from Iowa (Mr. CLARK) then be recognized.

Mr. MANSFIELD. That would be perfectly acceptable. I should have remembered that because I was told about it; but, in any event, it will be the next amendment after the Dole amendment in the nature of a substitute.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent—and this request has been cleared with the leadership on the Republican side, and with Senators BAKER and DOMENICI, the two ranking members on the committee and the subcommittee respectively, and the distinguished chairman of the Public Works Committee, and the distinguished Senator from North Dakota (Mr. BURDICK), who is the chairman of the subcommittee on the majority side—that there be a time limitation on the disaster relief bill of not to exceed 2 hours, to be equally divided between and controlled by Senators BURDICK and DOMENICI; and that time on any amendments thereto be limited to 30 minutes, to be equally divided and controlled in the usual form; and that the agreement be in the usual form.

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

Mr. KENNEDY. Mr. President, I want to take one moment of my time this evening to commend our Senate leadership, the distinguished Senator from Montana (Mr. MANSFIELD) and the distinguished Senator from Pennsylvania

(Mr. HUGH SCOTT), as well as the distinguished manager of the pending bill, Senator CANNON, for their efforts over the period of the past few days in bringing the importance of this proposal to the attention of the Senate. Their conversations and assistance developed the votes for cloture and demonstrated that two-thirds of the Senate wants campaign reform legislation.

Many thought the battle for cloture could not be won. We know how far we had to come since the vote last week. And Senators MANSFIELD and HUGH SCOTT deserve great credit for so effectively turning the tide.

The issues had been debated and discussed extensively. The time had come for decisive action, and thanks to the extraordinary efforts of the leadership, decisive action was taken by the Senate this afternoon. All of us interested in this issue should recognize the strong position our leaders took. Because of their efforts and initiatives, this legislation is now moving toward final passage, and all of us are in their debt. It is a tribute to the Senate's bipartisan leadership that we are about to see final Senate action on a bill that may well become the high water mark in the legislative record of the 93d Congress, and a landmark reform that can bring honest elections to the people and integrity back to Government.

H.R. 13542—AN ACT TO ABOLISH THE POSITION OF COMMISSIONER OF FISH AND WILDLIFE

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 13542.

The PRESIDING OFFICER laid before the Senate H.R. 13542, which was read twice by its title, as follows:

H.R. 13542, an act to abolish the position of Commissioner of Fish and Wildlife and for other purposes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, was read the third time and passed.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the

orders for the recognition of Senators on tomorrow, there be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 5 minutes each.

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

ORDER FOR RECOGNITION OF SENATOR ROTH ON THURSDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Thursday, after the remarks of Mr. BIDEN, the distinguished senior Senator from Delaware (Mr. ROTH) be recognized for not to exceed 15 minutes.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 10 a.m. tomorrow.

After the two leaders or their designees have been recognized under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes, and in the order stated: Mr. METZENBAUM, Mr. ROBERT C. BYRD, Mr. BIDEN.

At the conclusion of the orders aforementioned, there will be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 5 minutes each.

At the conclusion of the transaction of routine morning business, the Senate will resume consideration of the unfinished business, S. 3044. The question at that time will be on the adoption of the amendment by Mr. DOLE, amendment No. 1127, on which there is a time limitation of 30 minutes, with the yeas and nays already having been ordered thereon. Therefore, there will be a yeas-and-nays vote on amendment No. 1127 at about 11:30 a.m.

Upon the disposition of the Dole amendment, the unfinished business will be laid aside temporarily, and the Senate will proceed to the consideration of the disaster relief bill, S. 3062, on which there is a time limitation of 2 hours, with a time limitation on any amendment thereto of 30 minutes, and with a time limitation on any debatable motion or appeal of 10 minutes, to be equally divided and controlled in accordance with the usual form. Yeas-and-nays votes may occur on amendments to that bill, and undoubtedly there will be a yeas-and-nays vote on the final passage thereof.

Upon the disposition of the disaster relief bill, the Senate will resume consideration of the unfinished business, S. 3044, and the pending question at that time will be on the adoption of the amendment by Mr. CLARK. Yeas-and-nays votes will occur on amendments to S. 3044, beginning with and subsequent to the disposition of the Clark amendment, and hopefully the Senate will complete action on that bill tomorrow.

Mr. President, included in my statement of the program was the statement with regard to debatable motions and appeals, and I ask unanimous consent that the time related thereto as stated in the program be effectuated.

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

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and, at 6:15 p.m., the Senate adjourned until tomorrow, Wednesday, April 10, 1974, at 10 a.m.

Executive nominations received by the Senate March 9, 1974.

IN THE AIR FORCE

The following officer for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, Title 10, United States Code, with a view to designation under the provisions of section 8067, Title 10, United States Code, to perform the duty indicated, and with date of rank to be determined by the Secretary of the Air Force:

To be first lieutenant (medical)

Jones, Bobby M., 259-72-6568.

The following officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, Title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be lieutenant colonel

Bomar, Jack W., 480-26-6612.
Bossio, Galileo F., 518-05-1947.
Brand, Joseph W., 347-12-5838.
Fisher, Donald E., 541-22-0063.
Frederick, Peter J., 123-16-0402.
Hauer, Leslie J., 386-12-5673.
Kahler, Harold, 508-18-6441.
Lamar, James L., 431-30-4554.
Madison, Thomas M., 450-38-1953.
Newsom, Benjamin B., 225-26-1058.
Pitchford, John J. Jr., 428-40-4878.
Swords, Smith III, 547-30-6965.
Trautman, Konrad W., 174-20-4904.
Underwood, Paul G., 093-20-0386.
Welch, Robert J., 370-22-4879.
Wilburn, Woodrow H., 455-03-7958.

To be major

Abbott, Joseph C. Jr., 142-28-9387.
Alley, Gerald W., 519-34-0892.
Atterberry, Edwin L., 451-46-0126.
Bagley, Bobby R., 260-44-6843.
Barbay, Lawrence, 434-48-2771.
Berg, Kile D., 536-34-6965.
Brunstrom, Alan L., 490-44-8715.
Burer, Arthur W., 577-44-5726.
Condon, James C., 268-30-1369.
Daughtrey, Robert N., 463-44-2666.
Doughty, Daniel J., 388-34-4140.
Downing, Donald W., 395-30-9773.
Duart, David H., 178-28-8259.
Dyczkowski, Robert R., 086-24-4764.
Elliot, Robert M., 021-22-8214.
Gideon, Willard S., 229-36-0655.
Greene, Charles E. Jr., 029-26-0889.
Hatcher, David B., 240-48-2879.
Hildebrand, Leland L., 391-36-0024.
Jayroe, Julius S., 251-64-5117.
Jensen, Jay R., 529-34-3007.
Johnson, Richard E., 561-54-6696.
Kerr, Everett O., 024-28-0166.
Martin, John M., 198-24-6115.
McKnight, George G., 536-26-3178.
Means, William H. Jr., 487-36-3844.
Morgan, Herschel S., 241-46-6180.
Nagahiro, James Y., 576-24-7944.
Odell, Donald E., 373-34-3772.
Pattillo, Ralph N., 419-46-5528.
Perkins, Glendon W., 475-32-4207.
Shattuck, Lewis W., 532-30-8264.
Smith, Richard D., 510-34-7474.
Stirm, Robert L., 567-38-1416.

Vanburen, Gerald G., 302-28-7453.
Waggoner, Robert F., 523-38-1180.
Wenaas, Gordon J., 502-20-6882.
Wright, Thomas T., 311-32-1326.
Yuill, John H., 303-34-9910.

To be captain

Brazelton, Michael L., 554-58-2350.
Brenneman, Richard C., 304-44-1125.
Brodak, John W., 499-42-6173.
Burns, Michael T., 307-46-6955.
Butler, William W., 567-58-1627.
Cooper, Richard W., Jr., 212-40-9139.
Davies, John O., 187-34-8776.
Flom, Fredric R., 394-40-9121.
Ford, David E., 024-26-1127.
Francis, Richard L., 448-40-9765.
Gray, David F., Jr., 465-68-6492.
Hart, Thomas T., III, 266-58-2399.
Hoffson, Arthur T., 462-62-5269.
Hubbard, Edward L., 515-28-8059.
Irwin, Robert H., 095-30-6774.
Jeffrey, Robert D., 558-50-1837.
Kramer, Galand D., 442-42-1771.
Lane, Michael C., 238-66-5024.
Lane, Mitchell S., 510-40-5107.
Lebert, Ronald M., 503-46-6655.
Luna, Jose D., 565-50-3959.
Monlux, Harold D., 480-44-5848.
Myers, Glenn L., 159-32-1396.
O'Donnell, Samuel, Jr., 161-34-3733.
Feel, Robert D., 412-60-1840.
Pollack, Melvin, 085-34-2003.
Sigler, Gary R., 523-50-3873.
Torkelson, Loren H., 502-42-3419.
Venanzi, Gerald S., 135-67-7971.
Wilson, Hal K., III, 112-30-4927.

To be first lieutenant

Acosta, Hector M., 467-84-4388.
Anderson, John W., 540-52-2492.
Baker, David E., 070-36-8938.
Barrows, Henry C., 136-38-5463.
Bates, Richard L., 474-50-1831.
Bednarek, Jonathan B., 115-40-7992.
Beens, Lynn R., 529-64-9069.
Bennett, Thomas W., Jr., 256-64-3657.
Beutel, Robert D., 325-40-1943.
Brunson, Cecil H., 409-80-5261.
Butcher, Jack M., 330-38-1331.
Callaghan, Peter A., 056-36-2946.
Copack, Joseph B., Jr., 320-42-7347.
Craddock, Randall, J., 441-44-5449.
Cressey, Dennis C., 524-56-2798.
Darr, Charles E., 430-82-1098.
Dickens, Delma E., 252-76-9402.
Finn, William R., 438-70-7343.
Fulton, Richard J., 526-74-1052.
Galati, Ralph W., 170-38-3597.
Gatwood, Robin F., Jr., 240-82-4561.
Geloneck, Terry M., 420-56-8385.
Granger, Paul L., 501-52-2129.
Halpin, Richard C., 553-72-8842.
Howell Carter A., 523-60-0831.
Hudson, Robert M., 515-48-5304.
Kennedy, John W., 225-66-2737.
Klomann, Thomas J., 348-36-2372.
Koons, Dale F., 275-46-8109.
Kroboth, Stanley N., 170-38-9684.
Latella, George F., 101-38-2724.
Lewis, Frank D., 308-48-2235.
Logan, Donald K., 548-68-4140.
Martini, Michael R., 573-64-7878.
Mayall, William T., 124-40-5898.
Miller, Curtis D., 466-72-5405.
Morris, George W., Jr., 550-74-6266.
Ostermeyer, William H., 263-70-9916.
Phelps, William, 068-40-2149.
Price, Larry D., 226-66-3902.
Ratzel, Wesley D., 192-36-2410.
Rusch, Stephen A., 144-34-5080.
Seek, Brian J., 559-70-3890.
Seuell, John W., 497-48-9611.
Sienicki, Theodore S., 140-36-1596.
Thomas, Daniel W., 506-58-7354.
Thomas, Robert J., 264-92-8104.
Tucker, Timothy M., 523-56-1376.
Vaughan, Samuel R., 247-72-7273.
Vavroch, Duane P., 485-62-2316.
Walker, Bruce C., 238-80-2905.
Wanzel, Charles J., III, 120-38-9292.
Ward, Brian H., 565-76-3499.

Wells, Kenneth R., 535-48-9694.
Wilson, William W., 482-56-8065.

To be second lieutenant

MacDonald, George D., 326-42-9491.

IN THE NAVY

The following-named Naval Reserve officers for temporary promotion to the grade of commander in the line subject to qualification therefor as provided by law:

Abeyta, Alfredo Lionel
Acquilano, Rocco Donald
Adams, David Arthur
Adams, Stanford M.
Alberse, Peter T., Jr.
Ali, Kenneth O.
Altsman, Robert James, Jr.
Alvick, Roy Everett
Ammerman, Hugh Turner, Jr.
Anderson, Bert William
Anderson, Charles Daniel
Anderson, Roland B.
Avila, Phillip F.
Backer, John M.
Banks, Otis Gordon
Bardel, Donald Lee
Barsanti, Adolph Joseph
Barsness, John G.
Bartholf, Robert G.
Barton, Alexander J.
Bayer, Joseph H.
Beechner, Frank Edward
Beers, Frank Willard
Belshline, Richard R.
Bell, Jerrold Mitchell
Bell, Richard Howard
Benham, James Terry
Bennett, Alfred Allen
Berg, Peter Edwin
Bergquist, John Chester
Bertinot, Benjamin Edward
Best, Walter C.
Biggers, James Collin
Biggs, Robert Stanley
Billings, Henry Cabot W.
Billington, Murray R.
Birkner, Robert Oscar
Biwer, Robert Alexander
Blatus, Richard John
Blume, Arthur Walter, III
Bobrick, Edward Allen
Boughton, Harold Gordon
Boyd, Richard Ronald
Boynton, Robert T.
Bradshaw, John P., Jr.
Braun, John Charles, Jr.
Braunlich, William Everard
Brenner, Marc Alvin
Brooks, Andrew Dewitt, Jr.
Brown, Richard A.
Brown, Thomas R.
Brownlee, James Lawton, Jr.
Bryan, William Edward
Bryant, Leon Delmar
Burridge, George Delmar
Busch, Kenneth Leo
Bush, Gregory Gene
Callan, James Ruud
Carlisle, Sanford Keeler, Jr.
Carr, William Keith
Castor, John Robert
Caton, Robert Luther
Chop, Raymond Ernest
Christopherson, Allen Edward
Churchill, William B.
Churmas, John Thomas
Churchill, William B.
Clancy, Robert A.
Clark, George Graf
Clay, Henry George, Jr.
Clarke, Charles Edward, Jr.
Clements, Paul H.
Clement, David Edward
Colvin, John Paul
Clum, Woodworth Bernhard J.
Combs, Charles Elwood
Colwell, Samuel Campbell, II
Conklin, Dwight Elwood
Compardo, James Robert
Cook, William Compton

Cook, Arthur Grant
Crawford, Forrest Smeed
Costantino, James
Crowther, Douglas A.
Crow, Claron D.
Currie, Robert Emil
Culpepper, William Robert
Daley, Joseph Michael, Jr.
Cutcliffe, John N.
Davies, William
Darr, Ralph Martin
Davis, Haines Bonner
Davis, DeWitt, II
Davis, Robert Alvin
Davis, Reeves K.
Denny, Harry James
Debay, Orrian
Derr, John Frederick
Depew, John Nelson
DeVincenzi, Ronald D.
DeThomas, Joseph, III
Dickens, John W.
Devon, Thomas, J.
Doak, Wilson Faris, Jr.
Dickey, Robert C.
Dolley, William Lee, III
Donnell, Everett Ellsworth
Donnell, Robert Evans
Douglas, James Guilford
Downard, William Earl
Driver, Donald Everett
Drumm, Thomas Francis, Jr.
Duffield, Don F.
Dutton, William Maurice
Dyer, Garrett Malcolm
Dyer, Gerald Ross
Dykema, Owen W.
Edwards, Warren Elliott
Eizen, Sheldon David
Enderson, Laurence W., Jr.
Ewing, Richard Stuart
Faure, Joseph, Jr.
Ferguson, Charles E.
Ferris, Edward
Finley, Robert Hance
Finney, Robert G.
Fischer, Harry Loeper
Flanagan, Charles Downing, I
Floh, Robert Brooks
Florio, Anthony William
Floyd, Tate Gabbert, Jr.
Flynn, Robert William
Foley, Robert Joseph
Forslund, Robert Alfred
Fox, Merle T.
Frame, Kenneth George
Franklin, Larry Bruce
Frederick, Paul Edward
Freeley, Edward Donald
Fricke, Hans Werner
Friedman, Ronald Sheldon
Froelich, Bernard John, Jr.
Fuller, Gran Fred
Gallagher, Connell James
Gallagher, Robert John
Gallaher, Edward Joseph, III
Garrido, Donald P.
Garton, Ronald Ray
Gary, Nathan Bennett, Jr.
Gautsch, Terence Joseph
Gerlach, Henry Otto
Gilbert, John Ralph, Jr.
Gilles, Robert Joseph
Gillis, Dana Gerard
Glenn, Robert L.
Goldstein, Robert M.
Goodrich, George Dewitt
Gore, Alfred M.
Gorman, Lanny Randolph
Grapsy, Ronald P.
Gravel, Arthur J.
Gray, Garold Granville
Graymer, Leroy E.
Green, Robert William
Green, William Edward
Gretlum, Donald Keyes
Griessel, Rodger Frederick
Griffith, Robert Edward
Groepier, Neil Frederick
Guderian, William, Jr.