

S. 3044

April 8, 1974

tation and reconstruction stage (e.g. to avert the recurrence hopefully of such disasters) may not be available. Without a reasonable assurance of continuity of food supply, the voluntary agency programs of rehabilitation and development may have to be abandoned or greatly reduced in many of these instances.

The voluntary agencies pointed out these problems in testimony presented last year before both Senate and House Agriculture Committees relative to the extension of PL 480. They declared at that time "... we voice our concern lest, in the face of continuing and expanding need, there be failure to implement or to fund the programs adequately." In reply, PL 480 was remanded by the Congress for an additional four years. In addition, the Foreign Assistance Act of 1973 declared it to be the sense of Congress that in assessing food production levels, "the expected demands for humanitarian food assistance through such programs as ... Public Law 480" be included and that increased flexibility be provided through consideration of legislation to amend Section 401 of PL 480. In the same Act the sense of Congress also was expressed that "The United States should participate fully in efforts to alleviate current and future food shortages which threaten the world." The voluntary agencies concur fully in this position.

It is the particular plea of the American Council of Voluntary Agencies for Foreign Service, and particularly those of its member agencies operating relief, rehabilitation and development programs overseas that especially now with renewed Foreign Assistance emphasis on development and the impending food crisis which confronts the world, the Congress should take whatever steps it deems appropriate to give material substance to the above "sense of Congress" provisions to the end that insofar as possible a continuing and regular food resource will be available to the voluntary agencies under PL 480 for their overseas programs.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. HATHAWAY). The time for the transaction of routine morning business has now expired.

Morning business is closed.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

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

The legislative clerk read as follows:

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. ROBERT C. BYRD. Mr. President, I believe that the distinguished Senator from Iowa (Mr. CLARK) is prepared to call up his amendment on which the yeas and nays have already been ordered. It is my understanding that when debate is completed on his amendment, if completed prior to 3:30 p.m. today—which I am sure it will be—the vote on the Clark amendment will occur at the hour of 3:30 p.m.

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBERT C. BYRD. I thank the Chair.

AMENDMENT NO. 1152

Mr. CLARK. Mr. President, I call up my amendment No. 1152 and ask that its reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the text of the amendment will be printed in the RECORD at this point.

The text of the amendment follows:

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

REPEAL OF CERTAIN EXCEPTIONS TO CONTRIBUTION AND EXPENDITURE LIMITATIONS

Sec. 305. Section 614(c)(3) of title 18, United States Code (as added by section 304 of this Act), and section 615(e) of such title (as added by section 304 of this Act) (relating to the application of such sections to certain campaign committees) are repealed. Section 615 of title 18, United States Code (as added by section 304 of this Act), is amended by striking out "(f)" and inserting in lieu thereof "(e)".

Mr. CLARK. Mr. President, I ask unanimous consent that the name of the Senator from Illinois (Mr. STEVENSON) be added as a cosponsor of my amendment.

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

Mr. CLARK. Mr. President, last Wednesday, with only a handful of Senators in the Chamber, the Senate passed amendment No. 1102 by voice vote. The amendment exempted the House and Senate campaign committees of the two major parties from the contribution and expenditure limitations of the campaign financing bill now before the Senate.

In my judgment, the amendment opens an obvious loophole that will allow massive amounts of private money to influence congressional campaigns, seriously compromising the excellent legislation that Chairman CANNON and the rules committee have brought to the floor.

The amendment I have introduced would repeal the sections of the bill added by the amendment passed last Wednesday.

In offering that amendment, the distinguished Senator from Tennessee (Mr. BROCK) said:

It is important that our parties not be weakened. But strengthened, by whatever action Congress takes. I would hope that in writing this particular bill we can provide that sense of purpose with this amendment. (Fig. S. 5189 CONGRESSIONAL RECORD, April 3, 1974).

This bill had just that "sense of purpose" already—without the Brock amendment. The committee bill as reported provided a major role for both the State and national political parties by allowing each of them to contribute an additional 2 cents a voter to a campaign, over and above a candidate's expenditure limitation. The amendment approved last Wednesday deals not with the role of political parties, which have millions of supporters and thousands of small contributors, but with the role of the "In-House" campaign committees of both Houses of Congress.

During the course of the debate, Senator ALLEN expressed some concern about "leaving—contributions and expendi-

tures for these committees—with the sky as the limit." In response, Senator Brock said:

Our average contribution was something on the order of \$23.75 in the Republican Party . . . by no definition can that \$23.75 be sufficient to influence the election or the vote of an individual running for the Senate.

Perhaps the average contribution to the Republican Party is \$23.75, but that certainly can't be the average contribution to the Campaign Committees of the House and Senate. The ticket price for the Republicans' annual fund-raising dinner is \$1,000—for the Democrats, the price is \$500. And many of those tickets are purchased in blocks by various groups. No one should confuse national political parties, supported as they are by thousands of people giving in \$5 and \$10 amounts, with the Senate and House Campaign Committees.

There was another confusing aspect of the amendment which Senator ALLEN inquired about: The maximum amount that could be received from any contributor by one of the "in-house" Campaign Committees. Senator Brock said:

The same limit that would apply to giving to a campaign or to the national committees would apply here.

I am not at all sure that's the case.

Under S. 3044, an individual is limited to giving \$3,000 and a group is limited to giving \$6,000 to any single candidate's campaign. But an individual would be limited only by the \$25,000 overall ceiling in contributing to one of these committees, and for groups there would be no limit at all.

What this amendment has done is exempt the House and Senate Campaign Committees from any effective restrictions. Individuals could contribute to them almost without limit. Groups could contribute completely without limit. And, unlike any other political committees, these committees could contribute unlimited amounts directly to the candidates—with the candidates' total expenditure ceilings as the only effective restraint.

In the case of a Senate race in California, it would mean that the legal limitation on what the Democratic and GOP senatorial campaign committees could give would be \$2,121,450 in the general election. In Iowa, it would be \$288,000. In Tennessee, it would be \$406,500. It is apparent that last Wednesday the Senate set aside any effective limitation on contributions.

My amendment No. 1152 would repeal the provisions added by amendment No. 1102. I would not lightly raise an issue that already had been considered. But if the Senate allows amendment No. 1102 to stand, it will be compromising the very integrity of this campaign financing legislation.

Let me provide an example. Suppose that in 1976 the Democratic or Republican senatorial campaign committee has pinpointed 10 key Senate races. An organization—and there are many that would be willing and able—decides to give \$100,000 to the campaign committee, which in turn passes along \$10,000 to each of its 10 "key" candidates.

Now there would be nothing illegal

about that transaction—the money would not have been specifically earmarked for any particular candidate. But the effect would be clear. Each of those candidates would know how they got that \$10,000 check, and its real source.

The rules committee has withstood virtually every challenge to S. 3044 so far. Amendment No. 1102 is the one glaring exception. As the Washington Post reported last week.

It is the first substantial breach in provisions of the bill that limit individuals to a \$3,000 contribution to any one candidate and organizations to a \$6,000 contribution.

The amendment passed last Wednesday directly contradicts the basic goal that we have been working toward over the past 2 weeks—the cleansing of our political process. It should be repealed.

Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The 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.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House insists upon its amendments to the bill (S. 2770) to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to medical officers of the uniformed services, disagreed to by the Senate; agrees to the conference requested by the Senate on the disagreeing votes of the two House thereon; and that Mr. STRATTON, Mr. NICHOLS, Mr. HUNT, Mr. HÉBERT, and Mr. BRAY were appointed managers of the conference on the part of the House.

OPPOSITION TO CAMPAIGN FINANCE BILL

Mr. ALLEN. Mr. President, one of the greatest dangers of congressional service is that some Members get so imbued with what they read and hear in the Washington news media that they tend to forget that the greatest number of Americans and the bulk of our country lie beyond the Potomac River.

I fear that this is the case in consideration of S. 3044, the bill for public financing of campaigns. The pell-mell rush to support public subsidies for politicians, as is proposed in this legislation, is being led—or should I say misled?—in part by the Washington news media.

But there is a rising chorus of opposition throughout the rest of the country to this proposed raid on the Public Treasury. And as newspaper editors in the 50 States understand the implications of this proposal, they are writing editorials opposing public financing of campaigns. The heartland of America is speaking, but I feel that some Senators are still not listening.

Mr. President, as examples of this rising public outcry, I have an editorial, "A

Misuse of Public Funds . . ." from the Saturday, March 30, 1974, issue of the Chicago Tribune, and an editorial, "Mired in Molasses," from the Wednesday, April 3, 1974, issue of the Birmingham Post-Herald.

I ask unanimous consent that these editorials be printed in the Record for the edification of all Senators.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Chicago Tribune, Mar. 30, 1974]

A MISUSE OF PUBLIC FUNDS . . .

An irresponsible majority of the United States Senate has twice defeated attempts by Sen. James Allen to remove public financing of political campaigns from the Senate's campaign reform bill. The measure now seems assured of Senate passage.

The House soundly defeated a similar measure last year and is not happy about this year's entry. President Nixon has warned that he will veto the bill if public financing is included. Five of the seven members of the Senate Watergate Committee, whose mission it was to draft campaign reform legislation for the Senate, are strongly opposed to public campaign financing.

Still its supporters persist. Their apparent strategy is to keep battering away until the opposition begins to crack. It must not crack. Public campaign financing poses an insidious threat to this country's two-party, majority-rule system of government.

As the President and many others have noted, the bill is designed to eliminate private contributions, and thus deny to voters the right to give financial support to the candidate of their choice. Instead, their tax money would be used to support all candidates, including those they opposed. Black taxpayers, for example, could be supporting the candidacy of Gov. George Wallace.

True, the scheme would curb the appalling cost of Presidential elections, shown in the accompanying graph, but in congressional campaigns, spending might well increase. Congressmen who have been reelected easily with campaign treasures of only \$20,000 would find themselves with \$90,000 to spend.

As Sen. Howard Baker, vice chairman of the Watergate committee, noted, public financing would give the government fiscal control over elections. This could easily lead to assuming regulatory control, thus giving the party in power tremendous influence.

Public financing has been rationalized as a means to prevent corruption, but it goes much farther than that. As Walter Pincus, executive editor of the New Republic, put it in a statement supporting the proposal: "Don't kid yourself that you back public financing to prevent Watergates and corruption. You do it to change the system."

The scheme would hand out public money to any and all qualified comers in congressional and Presidential primaries. Candidates would multiply like rabbits. Special interest organizations like the American Civil Liberties Union, Nader's Raiders, the gun lobby, Common Cause, corporate associations, and labor unions could become political parties in their own right. The two major parties and the two-party, majority-rule system could founder. Chaos could result.

In the words of Mr. Baker: "We are burning down the barn to get rid of the rats."

[From the Birmingham Post-Herald, Apr. 3, 1974]

MIRRED IN MOLASSES

Despite all the lofty rhetoric, it will take some fancy legislative maneuvering to get an effective campaign reform bill through Congress this year.

A more likely prospect is that campaign reform will disappear in a vat of election-year

molasses and not be seen or heard from again until 1975.

The reason for this dismal prediction is the current disagreement among the House, the Senate and President Nixon over what needs to be done to curb excessive spending and loose bookkeeping in congressional election campaigns.

Judging by its past lack of enthusiasm, the House would like to do nothing—or at least do nothing to make it easier for challengers to oust incumbents.

Rep. Wayne L. Hays, D-Ohio, the man in charge of reform legislation, is adamantly opposed to setting up an independent elections commission. Under present law, the House and Senate police their own campaign practices, which is like sending a barkless dog on burglar patrol.

The Senate has been much more responsive, passing a reform bill last July that would have set limits on campaign spending and campaign giving; outlawed all cash contributions of more than \$50; required full disclosure of a candidate's assets and income; encouraged television debates among major candidates; funneled each candidate's spending reports through one central committee, and set up an independent elections commission.

Now the Senate is on the verge of sabotaging its own bill by insisting that tax money be used to help finance all congressional and senatorial election campaigns, both primary and general.

This is a bad proposal. It would make money available to candidates who have no real base of support. It would provide too much money in some places, too little in others. Even if it passes the House, which is unlikely, the President, who opposes public financing, is expected to veto it.

That would leave the reform campaign back where it started—with no limits on how much pressure groups can give to candidates; no limits on how much candidates can spend, and no independent commission to blow the whistle when necessary.

This is fine and dandy for lobbyists and special interest groups, who stand ready to pour millions into political campaigns this year, much of it aimed at keeping good old Jack ("he'll take care of us") in office for another term.

But it's a strange way to restore voter confidence in a much-abused political campaign system that badly needs some basic reforms.

RECESS UNTIL 2 P.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

There being no objection, at 1:18 p.m. the Senate took a recess until 2 p.m.; at which time the Senate reassembled when called to order by the Presiding Officer (Mr. MANSFIELD).

THE PRESIDING OFFICER. The Chair (the Senator from Montana, Mr. MANSFIELD, in the chair) suggests the absence of a quorum.

The second assistant legislative clerk proceeded to call the roll.

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

THE PRESIDING OFFICER (Mr. MONTROYA). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, what is the pending business?

THE PRESIDING OFFICER. Amendment No. 1152 of the Senator from Iowa (Mr. CLARK).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the