Seitz, William J., xxx-xx-xxxx
Semon, David J., xxx-xx-xxxx
Seuell, Gordon J., xxx-xx-xxxx
Shale, Richard B., xxx-xx-xxxx
Shamer, George P., II, xxx-xx-xxxx
Sharp, Thomas W., xxx-xx-xxxx
Sheehan, Jeremiah F., xxx-xx-xxxx
Shem, Raymond W., xxx-xx-xxxx
Shendow, Jan W., xxx-xx-xxxx
Shields, Gary L., xxx-xx-xxxx
Shields, Richard M., xxx-xx-xxxx
Shores, James H., Jr., xxx-xx-xxxx
Shumate, William F., xxx-xx-xxxx
Simmons, James R., Jr., xxx-xx-xxxx
Simmons, Susan D., xxx-xx-xxxx
Sinosky, John T., Jr., xxx-xx-xxxx
Sipos, John L., xxx-xx-xxxx
Skolasky, Robert A., xxx-xx-xxxx
Skripps, Thomas W., xxx-xx-xxxx
Slayton, Tison E., Jr., xxx-xx-xxxx
Sledge, George M., xxx-xx-xxxx
Smith, Alexander R., xxx-xx-xxxx
Smith, Donald W., xxx-xx-xxxx
Smith, Emmerson R., Jr., xxx-xx-xxxx
Smith, Johnnie N., xxx-xx-xxxx
Smith, Joseph D., Jr., xxx-xx-xxxx
Smith, Michael R., xxx-xx-xxxx
Smith, Philip N., xxx-xx-xxxx
Smith, Robert S., xxx-xx-xxxx
Smith, Ronny C., xxx-xx-xxxx
Snapp, Michael R., xxx-xx-xxxx
Snyder, John M., Jr., xxx-xx-xxxx
Sonnier, Kenneth J., xxx-xx-xxxx
Sovich, John M., xxx-xx-xxxx
Speakes, Roy W., II, xxx-xx-xxxx
Sperry, Paul D., xxx-xx-xxxx
Spivy, Frank A., xxx-xx-xxxx
Springle, Carl, Jr., xxx-xx-xxxx
Sprinkle, Clark J., xxx-xx-xxxx
Squires, James N., xxx-xx-xxxx
Stober, Jeffrey L., xxx-xx-xxxx
Stogsdill, Thomas M., xxx-xx-xxxx
Swats, Donald L., xxx-xx-xxxx
Sweetnam, George H., Jr., xxx-xx-xxxx
Swett, Ozro S., Jr., xxx-xx-xxxx
Sykes, Clifton L., Jr., xxx-xx-xxxx
Szul, Robert F., xxx-xx-xxxx
Talley, David H., xxx-xx-xxxx
Tedesco, Richard P., xxx-xx-xxxx
Terry, Patrick R., xxx-xx-xxxx
Thacker, William K., III, xxx-xx-xxxx
Thatcher, John R., xxx-xx-xxxx
Thomas, John R., xxx-xx-xxxx
Thomas, Randall F., xxx-xx-xxxx
Thompson, Edward C., IV, xxx-xx-xxxx
Thompson, Terry L., xxx-xx-xxxx
Thornton, Jack T., xxx-xx-xxxx
Thurston, Thomas E., xxx-xx-xxxx
Tieman, Larry W., xxx-xx-xxxx
Tilghman, Glen A., xxx-xx-xxxx
Tobin, Michael B., xxx-xx-xxxx
Toothman, Robert J., xxx-xx-xxxx
Torsiello, Richard J., xxx-xx-xxxx
Tramontana, Frank J., xxx-xx-xxxx
Trenary, Frank W., xxx-xx-xxxx
Tromp, William J., xxx-xx-xxxx
Troutman, Acel B., xxx-xx-xxxx
Tucker, Alan E. M., xxx-xx-xxxx
Tushek, Gordon M., xxx-xx-xxxx
Uber, Clyde W., xxx-xx-xxxx
Upp, Jefferey L., xxx-xx-xxxx
Vannier, James G., xxx-xx-xxxx
Vargo, David A., xxx-xx-xxxx
Vining, James D., xxx-xx-xxxx
Voltz, Samuel A., III, xxx-xx-xxxx
Wallace, Cleveland H., xxx-xx-xxxx
Wallace, Lawrence B., xxx-xx-xxxx
Walschlager, Thomas A., xxx-xx-xxxx
Walsh, Frank J., Jr., xxx-xx-xxxx
Walters, George J., Jr., xxx-xx-xxxx
Warren, Philip H., xxx-xx-xxxx
Watson, Robert F., xxx-xx-xxxx
Weaver, Richard L., xxx-xx-xxxx
Weeditz, Anthony J., Jr., xxx-xx-xxxx
Weld, William H., xxx-xx-xxxx
Welken, Lloyd C., xxx-xx-xxxx
Weller, Richard K., xxx-xx-xxxx
Wellner, Eric F., Jr., xxx-xx-xxxx
Wells, Floyd B., xxx-xx-xxxx
Wert, John C., III, xxx-xx-xxxx
West, Bradford E., II, xxx-xx-xxxx
Weyer, Lawrence A., Jr., xxx-xx-xxxx
Wheaton, Ronald C., xxx-xx-xxxx
Wheeler, Raymond E., xxx-xx-xxxx
Whelan, Bruce E., xxx-xx-xxxx
Whisman, Edward K., xxx-xx-xxxx
Whitley, John Y., xxx-xx-xxxx
Whitney, Robert H., xxx-xx-xxxx
Whitney, Roger M., Jr., xxx-xx-xxxx
Wiik, Richard P., xxx-xx-xxxx
Wilfong, Timothy L., xxx-xx-xxxx
Williams, Daniel S., xxx-xx-xxxx
Williams, Harold R., xxx-xx-xxxx
Williams, Joseph B., Jr., xxx-xx-xxxx
Williams, Mark H., xxx-xx-xxxx
Williams, Warren E., xxx-xx-xxxx
Williamson, Gary L., xxx-xx-xxxx
Williford, Wade H., IV, xxx-xx-xxxx
Williford, William H., Jr., xxx-xx-xxxx
Wilson, James A., xxx-xx-xxxx
Wilson, William M., xxx-xx-xxxx
Winfrey, David C., xxx-xx-xxxx
Wise, Kenneth L., Jr., xxx-xx-xxxx
Wood, Gary H., xxx-xx-xxxx
Worley, Chandler P., Jr., xxx-xx-xxxx
Worley Walter L., III, xxxx
Wucher, Stanley F., Jr., xxx-xx-xxxx
Yake, David J., Jr., xxx-xx-xxxx
Yanik, Albert S., xxx-xx-xxxx
Yarger, Gerald L., xxx-xx-xxxx
Yewdall, Edward C., xxx-xx-xxxx
Young, Gregory B., xxx-xx-xxxx
Younger, Wilmer H., Jr., xxx-xx-xxxx
Zachary, Keeton D., xxx-xx-xxxx
Zilin, Barry M., xxx-xx-xxxx
Zink, Vernon R., Jr., xxx-xx-xxxx

CONFIRMATION

Executive nominations confirmed by the Senate August 8, 1974:

DEPARTMENT OF THE INTERIOR

Jack W. Carlson, of Maryland, to be an Assistant Secretary of the Interior.

FEDERAL ENERGY ADMINISTRATION

Robert Everard Montgomery, Jr., of Virginia, to be General Counsel of the Federal Energy Administration.

SECURITIES AND EXCHANGE COMMISSION

Philip A. Loomis, Jr., of California, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1979.

FEDERAL AVIATION ADMINISTRATION

James E. Dow, of Virginia, to be Deputy Administrator of the Federal Aviation Administration.

(The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

THE JUDICIARY

James C. Hill, of Georgia to be U.S. district judge for the northern district of Georgia.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 8, 1974:

U.S. COURT OF MILITARY APPEALS

I withdraw the nomination of William H. Erickson, of Colorado, to be a judge of the U.S. Court of Military Appeals for the remainder of the term expiring May 1, 1986, vice Robert M. Duncan, which was sent to the Senate on June 21, 1974.

HOUSE OF REPRESENTATIVES—*Thursday, August 8, 1974*

The House met at 12 o'clock noon.

Rev. Robert J. Robinson, First Associate Reformed Presbyterian Church, Rock Hill, S.C., offered the following prayer:

Eternal God, who is the source of all excellence and who sustains us through our daily adventures in Your world, inspire in us today a new spiritual initiative. In the uncertainties of these days do not let us continue to rely on our powers, for we need a greater and more stable strength. Remove all limits from our search for Your wisdom and provident direction. Prevent us from following expedient but erroneous courses of action. Let Your Spirit grant us discretion to discover truth, for Your word is the truth that is the substance of our common life.

Where we are estranged in spirit and divided in purpose we call upon You to make us whole again and to restore us to honor. Use these men and women of courage to reshape our national trust against every evil. Help them today to grasp and carry the torch of justice and righteousness for our Nation, through Jesus Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Marks, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment joint and concurrent resolutions of the House of the following titles:

H.J. Res. 1104. Joint resolution to extend by 62 days the expiration date of the Export Administration Act of 1969; and

H. Con. Res. 583. Concurrent resolution authorizing the Clerk of the House to make corrections in the enrollment of H.R. 69.

The message also announced that the Senate agrees to the amendments of the House to a bill and joint and concurrent resolutions of the Senate of the following titles:

S. 3331. An act to clarify the authority of the Small Business Administration, to increase the authority of the Small Business Administration, and for other purposes;

S.J. Res. 229. Joint resolution to amend the Export-Import Bank Act of 1945; and

S. Con. Res. 93. Concurrent resolution relating to an inflation policy study.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is

requested, a bill of the House of the following title:

H.R. 16027. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1975, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 16027) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1975, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. MCCLELLAN, Mr. ROBERT C. BYRD, Mr. MCGEE, Mr. MONTOYA, Mr. CHILES, Mr. MANSFIELD, Mr. STEVENS, Mr. YOUNG, Mr. HATFIELD, and Mr. BELLMON to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3698) entitled "An act to amend the Atomic Energy Act of 1954, as amended, to enable Congress to concur in or disapprove international agreements for cooperation in regard to certain nuclear technology," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. SYMINGTON, Mr. MONTOYA, Mr. AIKEN, and Mr. BAKER, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1694. An act to regulate commerce and to protect petroleum product retailers from unfair practices and for other purposes; and

S. 3548. An act to establish the Harry S. Truman memorial scholarships, and for other purposes.

The message also announced that the President pro tempore, pursuant to Senate Concurrent Resolution 85, appointed Mr. PASTORE, Mr. NUNN, Mr. HUGH SCOTT, and Mr. SCHWEIKER as Members, on the part of the Senate, to attend the Day of National Observance for the 200th Anniversary of the First Continental Congress to be held in Philadelphia, Pa., October 14, 1974.

REV. ROBERT J. ROBINSON

(Mr. GETTYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GETTYS. Mr. Speaker, I am pleased and honored to have the pastor of the church to which I have belonged all my life as Chaplain today, and I thank Speaker ALBERT and Dr. Latch for the opportunity.

Rev. Robert J. Robinson is minister of the First Associate Reformed Presbyterian Church of Rock Hill, S.C. He is not only my minister, he is my friend. I am glad he is in Washington with his fine family—his wife, Mary, and his children, Lisa, Joe, and Pat.

Mr. Robinson is the fourth pastor to serve my church which was organized in July 1895. The beloved Dr. Arthur S. Rogers served the church for 54 years—from 1895 until 1952. He was followed by able men in Rev. W. P. Grier, Jr., and Rev. Henry Lewis Smith and now Reverend Robinson.

Again, Mr. Speaker, I am grateful to the House for permitting me to have this young man of God here today.

MARIANNA YOUTH CHOIR SINGS AT CAPITOL

(Mr. FUQUA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FUQUA. Mr. Speaker, it was my very great pleasure to welcome to the Capitol the youth choir of the First Baptist Church of Marianna, Fla. The outstanding young people making up the youth choir entertained our colleagues, congressional staff people, and visitors to Washington, as they sang a medley of religious and inspirational songs. During this time of political turmoil and uncertainty, the message delivered by these dedicated young people was especially rewarding.

Accompanied by Mr. and Mrs. Harold Gregg and under the direction of Mr. Eugene Hattaway, minister of music, the youth choir joined me on the House floor and later watched as the House of Representatives was in session. To those of you who joined us in listening to this exceptional group, I do not need to tell you of their accomplished sound. I know that my colleagues join with me in thanking the youth choir for sharing with us their love of life.

FULL DISCLOSURE MUST BE MADE

(Mr. RIEGLE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. RIEGLE. Mr. Speaker, I have taken the well today because I think under the current circumstances most everyone in the country recognizes that we need a new President at this time, and that this will in all likelihood abort the impeachment proceedings in favor of some kind of negotiated resignation, which will possibly provide immunity from future prosecution for the President, and I am in favor of that.

I think that is the best alternative under the circumstances, although it is far from a perfect answer.

But I think there has to be one basic condition that goes with it, and that is that the coverup has to finally come off, and that means all of the coverup, and all of the facts and all of the documentary evidence that exists with relation to the three articles reported by the Committee on the Judiciary, must be made available in its entirety.

I do not want Presidential files disappearing, being lost in the transition, or anything like that. I think one thing that this country is entitled to know is the full truth. I, for one, am prepared to support the grant of immunity from prosecution, for I have no desire to see this President hounded in any way once he leaves office. But I want to see the whole truth laid on the table, and that is an absolutely unconditional requirement, I think, in terms of what justice means in this country. The price for immunity is the full truth—and it is something we must insist upon.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15155, PUBLIC WORKS, ATOMIC ENERGY COMMISSION, AND RELATED AGENCIES AND COMMISSIONS APPROPRIATIONS, 1975

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that the managers have until midnight tonight to file the conference report on the bill (H.R. 15155) making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related agencies and commissions for the fiscal year ending June 30, 1975, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CONFERENCE REPORT
(H. Rept. No. 93-1274)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15155) "making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1975, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 23, 24 and 25.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 6, 10, 14, 20, and 21, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$330,705,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$65,284,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$161,948,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amend-

ment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$446,577,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$700,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$19,427,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$400,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$244,123,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$24,621,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,967,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$55,800,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from is disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$128,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 5 and 19.

JOE L. EVINS,
EDWARD P. BOLAND,
JAMIE L. WHITTEN,
JOHN M. SLACK,
OTTO E. PASSMAN,
GEORGE MAHON,
GLENN R. DAVIS,
(except amendment No. 7 and report language re amendment No. 11),
HOWARD W. ROBISON,
JOHN T. MYERS,
ELFORD A. CEDERBERG,
Managers on the Part of the House.

JOHN C. STENNIS,
JOHN L. MCCLELLAN,
WARREN G. MAGNUSON,
ALAN BIBLE,
ROBERT C. BYRD,
JOHN O. PASTORE,
MARK O. HATFIELD,
MILTON R. YOUNG,
ROMAN L. HRUSKA,
CLIFFORD P. CASE,
JENNINGS RANDOLPH,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15155) making appropriations for Public Works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1975, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—ATOMIC ENERGY COMMISSION

Operating expenses

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating $1,411,960,000 instead of $1,428,760,000 as proposed by the House and $1,433,960,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The change from the House Allowance includes an increase of $1,200,000 for the Physical Research Program leaving a reduction of $2,700,000 from the budget request applied as a general reduction in the overall physical research program; an increase of $300,000 for Program Support; a decrease of $8,000,000 in the Nuclear Materials Program; and a decrease of $600,000 in the Biomedical and Environmental Research Program; the change in selected resources is adjusted accordingly by an increase in the amount of $300,000; and an additional $10,000,000 reduction in the total appropriation is applied as a result of unobligated balances.

The Committee of Conference is agreed that travel shall not exceed the amount as proposed in the budget request.

Plant and capital equipment

Amendment No. 2: Appropriates $330,705,000 instead of $317,655,000 as proposed by the House and $337,705,000 as proposed by the Senate. The increase over the House includes $2,000,000 for weapons production; development, and test installations; $4,250,000 for the National Security and Resources Center, Los Alamos Scientific Laboratory, New Mexico; $3,800,000 for a computer system at Sandia Laboratories, to be accomplished in the manner proposed by the Senate; restoration of $5,000,000 general reduction based on anticipated slippage; offset by a decrease of $2,000,000 for the TRIDENT production facilities.

TITLE II DEPARTMENT OF DEFENSE—CIVIL

Department of the Army

Corps of Engineers—Civil

General

The Committee of Conference is agreed that the Corps of Engineers should participate in the bicentennial activities as proposed in the Senate report.

General investigations

Amendment No. 3: Appropriates $65,284,000 instead of $61,542,000 as proposed by the House and $67,847,000 as proposed by the Senate. The changes from the House bill are allocated to the following studies:

Alaska:	
(FC) Rivers and Harbors in Alaska (Alaska Hydroelectric)	+$60,000
(FC) Metropolitan Anchorage	+75,000
(FC) Southcentral-Railbelt area	[1] +75,000
Arizona:	
(FC) Gila River and tributaries (Gila Drain) Arizona and New Mexico	[1] +140,000
Arkansas:	
(FC) White River Basin Reservoirs	+25,000
Maryland:	
(FC) Potomac River, North Branch, Maryland & Virginia	[1] +75,000
Mississippi:	
(N) Pearl River	+30,000
(FC) Pascagoula Basin	+25,000
Nevada:	
(FC) Truckee Meadows	+30,000
New Hampshire:	
(FC) Connecticut River stream bank erosion (Wilder Lake, N.H. and Vt. to Turners Falls Dam, Mass.)	+60,000
North Dakota:	
(FC) Pembina River	+50,000
Oregon:	
(FC) Portland Metropolitan Area	+20,000
(N) Siuslaw River and Bar	[1] +62,000
Pennsylvania:	
(FC) Raystown Dam hydro study (modification for power)	+75,000
South Dakota:	
(FC) Missouri River, S. Dakota, Nebraska, N. Dakota, and Montana, additional hydro	[1] +130,000
Washington:	
(FC) Columbia River and tributaries, Washington, Oregon, Idaho, Montana, Wyoming	[1] +340,000
(Comp) Puget Sound and adjacent waters (Anacortes-March Point area navigation)	[1] +40,000
(FC) Yakima Valley regional water management study	+100,000
Special studies:	
Cross Florida Barge Canal (Court-ordered study)	+1,000,000
Cooperation with States (sec. 22, Public Law 93-251)	+500,000
Review of authorized projects:	
Deauthorization review (sec. 12, Public Law 93-251)	+800,000
Restudies of deferred projects—Beatrice, Nebr. (FC)	+30,000

[1] Increase in House bill figure.

Amendment No. 4: Changes "Bureau of Sport Fisheries and Wildlife" to "U.S. Fish and Wildlife Service."

Construction, General

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating $973,681,000 instead of $988,533,000 as proposed by the House and $985,838,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The funds appropriated under this heading are to be allocated as shown in the following tabulation:

	Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
		Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)
	Alabama:				
(R)	John Hollis Bankhead lock and dam	$9,200,000		$9,200,000	
(MP)	Jones Bluff lock and dam	8,500,000		8,500,000	
(N)	Mobile Harbor, Theodore Channel		$125,000		$125,000
(FC)	Montgomery		50,000		50,000
(N)	Tennessee-Tombigbee Waterway, Ala. and Miss	30,000,000		37,900,000	
	West Point Point Lake Ala. and Ga. (See Georgia.)				
	Alaska:				
(MP)	Bradley Lake (feasibility study)				62,000
(FC)	Chena River Lakes, Fairbanks	17,200,000		17,200,000	
(N)	Hoonah Harbor		100,000		100,000
(N)	Humboldt Harbor	200,000		200,000	
(N)	Metlakatla Harbor		80,000		80,000
(MP)	Snettisham	1,400,000		2,100,000	
	Arizona:				
(FC)	Indian Bend Wash		194,000	1,100,000	
(FC)	Phoenix and vicinity, including New River (stage 1)	500,000		500,000	
(FC)	Phoenix and vicinity, including New River (stage 2)		200,000		200,000
	Arkansas:				
(FC)	Bell Foley Lake		424,000		424,000
(MP)	De Gray Lake	1,400,000		1,400,000	
(FC)	De Queen Lake	1,920,000		1,920,000	
(FC)	Dierks Lake	530,000		530,000	
(FC)	Gillham Lake	850,000		850,000	
(N)	McClellan-Kerr Arkansas River Navigation System, Arkansas and Oklahoma:				
	(a) Bank stabilization and channel rectification	610,000		610,000	
	(b) Navigation locks and dams	4,000,000		4,100,000	
	Conway, Ark., water supply			(100,000)	
(MP)	Norfork Lake-Highway Bridge				50,000
(N)	Ouachita and Black Rivers, Ark. and La	7,000,000		7,000,000	
(MP)	Ozark lock and dam	2,630,000		2,630,000	
(FC)	Red River levees and bank stabilization below Denison Dam Ark., La., and Tex	1,900,000		1,900,000	
(FC)	Village Creek, Jackson and Lawrence Counties		135,000		135,000
	California:				
(FC)	Alameda Creek, Del Valle Reservoir	720,000		720,000	
(N)	Bodega Bay		80,000		80,000
(FC)	Buchanan Dam-H. V. Eastman Lake	3,700,000		4,100,000	
(FC)	Chester, North Fork of Feather River			900,000	
(FC)	Cucamonga Creek			600,000	
(FC)	Dry Creek (Warm Springs) Lake and Channel	13,500,000		3,000,000	
(FC)	Fairfield vicinity streams		302,000		302,000
(FC)	Hidden Lake	2,400,000		2,700,000	
(N)	Humboldt Harbor and Bay		48,000		48,000
(FC)	Lytle and Warm Creeks	3,600,000		3,600,000	
(MP)	Marysville Lake		350,000		950,000
(FC)	Merced County streams		300,000		300,000
(FC)	Napa River	500,000		500,000	
(MP)	New Melones Lake	15,500,000		15,500,000	
(N)	Oakland Harbor	1,500,009		1,500,000	
(FC)	Pine Flat Lake	200,000		200,000	
(FC)	Sacramento River bank protection	1,000,000		1,000,000	
(FC)	Sacramento River Chico Landing to Red Bluff	255,000		500,000	
(N)	San Diego Harbor	500,000		1,100,000	
(FC)	San Diego River, Mission Valley		300,000		300,000
(N)	San Francisco Bay to Stockton (John F. Baldwin and Stockton ship channels)	725,000		725,000	
(FC)	Santa Paula Creek channel	2,600,000		1,600,000	
(FC)	Sweetwater River	100,000		100,000	
(FC)	University Wash and Spring Brook		270,000		270,000
(FC)	Walnut Creek	545,000		545,000	
	Colorado:				
(FC)	Bear Creek Lake	9,050,000		9,050,000	
(FC)	Chatfield Lake	3,065,000		3,065,000	
(FC)	Las Animas	1,800,000		1,800,000	
(FC)	Trinidad Lake	6,200,000		6,200,000	
	Connecticut:				
(FC)	Danbury	2,500,000		2,500,000	
(FC)	Park River		500,000		500,000
	Delaware:				
(N)	Delaware Bay to Chesapeake Bay Waterway, Del., Md., and Va		75,000		75,000
(N)	Inland waterway, Delaware River to Chesapeake Bay (Chesapeake and Delaware Canal), pt. II, Del., and Md	3,715,000		3,715,000	
	District of Columbia:				
(S)	Potomac estuary pilot water treatment plant, D.C., Md. and Va				350,000

	Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
		Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)
	Florida:				
(BE)	Brevard County	$400,000			
(FC)	Central and Southern Florida	4,400,000		$4,400,000	
(FC)	Dade County		$200,000		$200,000
(BE)	Duval County		130,000		130,000
(FC)	Four River Basins	400,000		3,000,000	
(N)	Jacksonville Harbor (1965 act)	7,000,000		7,000,000	
(N)	Miami Harbor (1968 act)	4,760,000		4,760,000	
(BE)	Palm Beach County (reimbursement)	1,165,000		1,165,000	
(N)	Panama City Harbor			430,000	
(BE)	Pinellas County	100,000		100,000	
(N)	Tampa Harbor (main channel)	900,000		900,000	
	Georgia:				
(MP)	Carters Lake	8,500,000		8,500,000	
(MP)	Richard B. Russell (Trotters Shoals) Dam and Lake, Ga., and S.C.	(L) 500,000		2,125,000	
(N)	Savannah Harbor (40 feet widening and deepening)	1,103,000		1,103,000	
(N)	Savannah Harbor (sediment basin)	2,300,000		2,300,000	
(BE)	Tybee Island	900,000		900,000	
(MP)	West Point Lake, Ala. and Ga.	6,300,000		8,800,000	
	Hawaii:				
(N)	Kahu lui Harbor mitigation of shore damages attributable to navigation projects, sec. 111			(500,000)	
(FC)	Kaneohe-Kailua area	300,000		480,000	
(N)	Lahaina small boat harbor			300,000	
(N)	Waianae small boat harbor		125,000		125,000
	Idaho:				
(MP)	Dworshak Dam and Reservoir	10,000,000		10,000,000	
(FC)	Ririe Lake	7,400,000		7,400,000	
	Illinois:				
(N)	Calumet River and Harbor (1962 act), Illinois and Indiana	170,000		170,000	
(FC)	Carlyle Lake	400,000		400,000	
(FC)	Columbia drainage and levee district #3			100,000	
(FC)	East Moline		150,000		150,000
(FC)	East St. Louis and vicinity—Cahokia Creek Low Dam	900,000		900,000	
(FC)	East St. Louis and vicinity (interior flood control)	1,200,000		1,200,000	
(FC)	Harrisonville and Ivy Landing—Drainage and levee district No. 2	300,000		300,000	
(FC)	Helm Lake		175,000		
(N)	Illinois Waterway, Calumet-Sag modification, pt. I, Illinois and Indiana	1,500,000		1,500,000	
(N)	Illinois Waterway Duplicate Locks Ill. and Ind		210,000		210,000
(FC)	Kaskaskia Island drainage and levee district				75,000
(N)	Kaskaskia River navigation	4,700,000		4,700,000	
(FC)	Levee District 23 (Dively), Kaskaskia River	645,000		645,000	
(FC)	Little Calumet River				40,000
(N)	Lock and dam 26, Mississippi River, Alton, Ill., and Mo	27,900,000		22,000,000	
(N)	Lock and dam 53 (temporary lock), Illinois and Kentucky	7,000,000		7,000,000	
(FC)	Louisville Lake		200,000		200,000
(FC)	Louisville Lake (U.S. Route 45)	700,000		700,000	
(N)	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo.:				
	(a) Chain of Rocks	4,540,000		4,540,000	
	(b) Regulating works	3,200,000		4,500,000	
(FC)	Milan		80,000		80,000
(FC)	Moline		100,000		100,000
(FC)	Rend Lake	3,186,000		3,186,000	
(FC)	Rock Island	120,000		120,000	
(N)	Smithland locks and dam Illinois and Kentucky	22,300,000		22,300,000	
(FC)	William L. Springer Lake (formerly Oakley Lake) (land acquisition)	600,000		300,000	
	Indiana:				
(FC)	Big Blue Lake				100,000
(FC)	Big Pine Lake			500,000	
(FC)	Big Walnut Lake		225,000		300,000
(FC)	Brookville Lake	1,985,000		1,985,000	
	Calumet River and Harbor. (See Illinois.)				
(N)	Cannelton locks and dam, Indiana and Kentucky	2,650,000		2,650,000	
(FC)	Evansville	1,600,000		1,600,000	
(FC)	Greenfield Bayou levee	200,000			
	Illinois Waterway, Calumet-Sag modification, pts. I and II, Illinois and Indiana. (See Illinois.)				
(FC)	Island levee	200,000		200,000	
(FC)	Marion		75,000		75,000
(FC)	Mason J. Niblack levee (pumping facilities)	1,044,000		1,044,000	
(N)	Newburgh locks and dam, Indiana and Kentucky	6,000,000		6,000,000	
(FC)	Patoka Lake	3,600,000		4,600,000	
(N)	Uniontown locks and dam, Indiana and Kentucky	7,850,000		9,850,000	

	Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
		Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)
	Iowa:				
(FC)	Bettendorf	$200,000		$200,000	
(FC)	Clinton	3,000,000		3,000,000	
(FC)	Davenport		$200,000		$200,000
(FC)	Marshalltown	1,800,000		1,800,000	
(FC)	Missouri River levee system, Iowa, Kansas, Missouri, and Nebraska	300,000		300,000	
(N)	Missouri River, Sioux City to mouth, Iowa, Kansas Missouri, and Nebraska	4,700,000		4,700,000	
(FC)	Ottumwa		20,000		20,000
(FC)	Rathbun Lake (fish hatchery)			700,000	
(FC)	Saylorville Lake	8,300,000		8,300,000	
(FC)	Waterloo	3,000,000		3,000,000	
	Kansas:				
	Arkansas—Red River Basins chloride control, Texas, Oklahoma, and Kansas. (See Oklahoma.)				
(FC)	Big Hill Lake	500,000		500,000	
(FC)	Cedar Point Lake		160,000		160,000
(FC)	Clinton Lake	8,750,000		8,750,000	
(FC)	Dodge City	1 450,000		1,450,000	
(FC)	El Dorado		50,000		50,000
(FC)	El Dorado Lake	4,000,000		4,000,000	
(FC)	Great Bend		180,000		180,000
(FC)	Hillsdale Lake	1,500,000		2,000,000	
(FC)	Indian Lake				50,000
(FC)	Kansas City, Kansas River, (1962 mod)	5,000,000		5,000,000	
(FC)	Marion		78,000	100,000	78,000
	Missouri River Levee System. (See Iowa.)				
	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC)	Onaga Lake		106,000		106,000
(FC)	Perry Lake area (road improvements)			400,000	
(FC)	Tomahawk Lake				150,000
(FC)	Tuttle Creek Lake (road improvements)				20,000
(FC)	Winfield		50,000		50,000
(FC)	Wolf-Coffee Lake		400,000		400,000
	Kentucky:				
(FC)	Big South Fork National River and recreation area, Ky. and Tenn				250,000
(FC)	Camp Ground Lake (phase 1)				130,000
	Cannelton locks and dam, Indiana and Kentucky. (See Indiana.)				
(FC)	Carr Fork Lake	3,800,000		3,800,000	
(FC)	Cave Run Lake	3,000,000		3,000,000	
(FC)	Dam No. 3, Big Sandy River, Ky. and W. Va				25,000
(FC)	Falmouth Lake		200,000		
(MP)	Laurel River Lake	6,200,000		6,200,000	
	Lock and Dam 53 (temporary lock). (See Illinois.)				
(FC)	Martins Fork Lake	3,000,000		3,000,000	
	Newburgh locks and dam, Indiana and Kentucky. (See Indiana.)				
(FC)	Paintsville Lake	1,000,000		1,500,000	
(FC)	Red River Lake	200,000		500,000	
	Smithland lock and dam, Illinois and Kentucky. (See Illinois.)				
(FC)	Southwestern Jefferson County	3,000,000		3,000,000	
(FC)	Taylorsville Lake	900,000		1,400,000	
(FC)	Tug Fork Valley, Ky., Va., and W. Va. (phase 1)				150,000
	Uniontown locks and dam, Indiana and Kentucky. (See Indiana.)				
(R)	Wolf Creek Dam—Lake Cumberland (Rehab.)	6,000,000		6,000,000	
(FC)	Yatesville Lake	900,000		1,500,000	
	Louisiana:				
(N)	Atchafalaya River, Bayous Chene, Boeuf and Black	500,000		1,300,000	
(FC)	Bayou Bodcau and tributaries	300,000		300,000	
(N)	Bayou Lafourche and Lafourche Jump Waterway	1,400,000		1,400,000	
(N)	Calcasieu River at Devil's Elbow	200,000		200,000	
(FC)	Larose to Golden Meadow	1,200,000		1,200,000	
(FC)	Lake Pontchartrain, and vicinity	3,300,000		3,300,000	
(N)	Mermentau River (channel improvement)	1,534,000		1,534,000	
(N)	Michoud Canal	2,160,000		2,160,000	
(N)	Mississippi River, gulf outlet	1,300,000		1,300,000	
(N)	Mississippi River outlets, Venice	510,000		510,000	
(FC)	Morgan City and vicinity	100,000		100,000	
(FC)	New Orleans to Venice hurricane protection	9,000,000		9,000,000	
	Ouachita and Black Rivers, Ark. and La. (See Arkansas.)				
(FC)	Ouachita River levees	405,000		405,000	
(N)	Overton-Red River Waterway (lower 31 miles only)	1,100,000		1,600,000	

	Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
		Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)
	Louisiana—Continued				
(N)	Red River emergency bank protection	$3, 900, 000		$3, 900, 000	
(N)	Red River Waterway, Mississippi River to Shreveport, La.	12, 000, 000		13, 000, 000	
	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
(N)	Vermilion lock (replacement)		$100, 000		$100, 000
	Maine:				
(MP)	Dickey-Lincoln School Lakes (resumption)				800, 000
(N)	Frenchboro Harbor	200, 000		200, 000	
	Maryland:				
(FC)	Bloomington Lake, Md. and W. Va	7, 200, 000		7, 200, 000	
	Delaware Bay to Chesapeake Bay Waterway. (See Delaware.)				
	Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (C. & D. Canal), pt. II. (See Delaware.)				
	Potomac Estuary pilot water treatment plant, District of Columbia, Maryland, and Virginia. (See District of Columbia.)				
	Massachusetts:				
(FC)	Charles River Dam	5, 000, 000		5, 000, 000	
(FC)	Charles River Natural Valley Storage Area				100, 000
(N)	Edgartown Harbor		40, 000		50, 000
(BE)	Revere Beach		150, 000		150, 000
(FC)	Saxonville		108, 000		108, 000
(N)	Weymouth Fore and Town Rivers	1, 800, 000		1, 800, 000	
	Michigan:				
(N)	Great Lakes connecting channels	1, 200, 000		200, 000	
(N)	Lexington Harbor	400, 000		400, 000	
(N)	Ludington Harbor		80, 000		80, 000
(N)	Ottawa River Harbor, Mich. and Ohio				10, 000
(FC)	Red Run Drain and Lower Clinton River				50, 000
(FC)	River Rouge	1, 800, 000		1, 800, 000	
(FC)	Saginaw River	850, 000		850, 000	
(N)	Tawas Bay Harbor		130, 000		130, 000
	Minnesota:				
(N)	Beaver Bay Harbor (incl. Silver Bay)		40, 000		40, 000
(FC)	Big Stone Lake-Whetstone River, Minn. and S. Dak	560, 000		560, 000	
(N)	Lutsen Harbor		60, 000		60, 000
(FC)	Mankato and North Mankato	1, 900, 000		1, 900, 000	
(FC)	Rochester (phase 1)				40, 000
(FC)	Roseau River	100, 000		100, 000	
(FC)	Twin Valley Lake		100, 000		100, 000
(FC)	Wild Rice River-South Branch and Felton Ditch		96, 000		96, 000
(FC)	Winona		230, 000		230, 000
	Mississippi:				
(FC)	Edinburg Lake (phase 1)				100, 000
(FC)	Tallahala Creek Lake	1, 000, 000		1, 000, 000	
	Tennessee-Tombigbee Waterway, Ala. and Miss. (See Ala.)				
(N)	Yazoo River, Belzoni Bridge (Adv. Part)			500, 000	
	Missouri:				
(FC)	Blue River Channel, Kansas City, Mo		400, 000		400, 000
(MP)	Clarence Cannon Dam and Reservoir	21, 700, 000		22, 700, 000	
(MP)	Harry S. Truman Dam and Reservoir	30, 500, 000		43, 000, 000	
(FC)	Little Blue River Channel	500, 000		500, 000	
(FC)	Little Blue River Lakes (land acquisition)	2, 500, 000		2, 500, 000	
	Lock and Dam 26, Alton, Ill. and Mo. (See Illinois.)				
(FC)	Long Branch Lake	2, 000, 000		2, 000, 000	
(FC)	Meramec Park Lake	3, 600, 000		4, 600, 000	
(FC)	Mississippi River Agricultural Area No. 8 (Elsberry drainage district)		100, 000		200, 000
	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)				
	Missouri River Levee System. (See Iowa.)				
	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC)	Perry County drainage and levee districts 1, 2, and 3		180, 000		180, 000
(FC)	Smithville Lake	8, 600, 000		8, 600, 000	
	Montana:				
(FC)	Frazer-Wolf Point bank stabilization			375, 000	
(MP)	Libby Dam-Lake Koocanusa	21, 500, 000		22, 000, 000	
(MP)	Libby Dam (additional units and reregulating dam)		890, 000		890, 000
(MP)	Libby Reregulating Dam, power units (phase 1)				75, 000
	Nebraska:				
(MP)	Gavins Point Dam Lewis and Clark Lake (relocation of Niobrara, Nebr.), Nebr. and S. Dak	3, 500, 000		3, 500, 000	
	Missouri River Levee System. (See Iowa.)				
	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
(FC)	Papillion Creek and tributaries	6, 000, 000		8, 000, 000	

	Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
		Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)
	Nevada:				
(FC)	Gleason Creek Dam		$120,000		$120,000
(FC)	Humboldt River and tributaries		250,000		250,000
	New Jersey:				
(N)	Corsons Inlet and Ludlam Beach		100,000		100,000
(FC)	Elizabeth	$2,700,000		$2,700,000	
(N)	Great Egg Harbor Inlet and Peck Beach		75,000		75,000
(N)	Newark Bay, Hackensack, and Passaic Rivers	525,000		525,000	
	Tocks Island Lake, Pa., N.J., and N.Y. (See Pennsylvania.)				
	New Mexico:				
(FC)	Cochiti Lake	7,400,000		8,150,000	
(FC)	Las Cruces	817,000		817,000	
(FC)	Los Esteros Lake	2,500,000		2,500,000	
	New York:				
(FC)	Allegany		57,000		57,000
(N)	Cattaraugus Harbor		120,000		120,000
(N)	Dunkirk Harbor				45,000
(N)	East River Spur Channel	1,500,000		2,850,000	
(BE)	East Rockaway Inlet to Rockaway Inlet and Jamaica Bay (part I)			4,000,000	
(FC)	Ellicott Creek				135,000
(BE)	Fire Island Inlet to Jones Inlet	1,500,000		1,500,000	
(FC)	Fire Island Inlet to Montauk Point			2,800,000	
(BE)	Hamlin Beach State Park (reimbursement)	1,180,000		1,180,000	
(N)	New York Harbor (anchorages)	4,000,000		5,000,000	
(N)	New York Harbor collection and removal of drift			330,000	
(FC)	Scajaquada Creek		100,000		100,000
	Tocks Island Lake, Pa., N.J., and N.Y. (See Pennsylvania.)				
(FC)	Yonkers	815,000		815,000	
	North Carolina:				
(N)	Atlantic Intracoastal Waterway, bridges	100,000		100,000	
(FC)	B. Everett Jordan Dam and Lake	1,850,000		3,500,000	
(FC)	Brunswick County Beaches	1,000,000			
(FC)	Falls Lake	3,000,000		4,250,000	
(FC)	Howards Mill Lake		100,000		100,000
	Little River Inlet, S.C. and N.C. (See South Carolina.)				
(N)	Manteo (Shallowbag Bay)		65,000		65,000
(N)	Morehead City Harbor	200,000		200,000	
(FC)	Randleman Lake		100,000		100,000
(FC)	Reddies River Lake		140,000		160,000
(FC)	Roaring River Lake (phase 1)				100,000
	North Dakota:				
(FC)	Burlington Dam		250,000		400,000
(MP)	Eagle Bay and Fort Yates Highway Bridges		122,000		122,000
(MP)	Garrison Dam-Lake Sakakawea	200,000		200,000	
(FC)	Minot	3,000,000		3,000,000	
(FC)	Missouri River, Garrison Dam to Lake Oahe	300,000		600,000	
	Oahe Dam-Lake Oahe, S. Dak. and N. Dak. (See South Dakota.)				
(FC)	Pipestem	417,000		417,000	
	Ohio:				
(FC)	Alum Creek Lake	3,500,000		3,500,000	
(FC)	Caesar Creek Lake	4,500,000		4,500,000	
(FC)	Chillicothe			300,000	
(FC)	Clarence J. Brown Dam and Reservoir	1,624,000		1,624,000	
(FC)	East Fork Lake	4,500,000		4,500,000	
(N)	Gallipolis locks and dam, Ohio and West Virginia				200,000
(N)	Hannibal locks and dam, Ohio and West Virginia	10,110,000		10,110,000	
(N)	Huron Harbor		100,000		100,000
(FC)	Mill Creek		400,000	500,000	
	Ottawa River Harbor, Mich. and Ohio (See Michigan.)				
(FC)	Paint Creek Lake	762,000		762,000	
(FC)	Point Place		54,000		54,000
(N)	Willow Island locks and dam, Ohio and West Virginia	10,100,000		10,100,000	
	Oklahoma:				
(FC)	Arcadia Lake		260,000		260,000
(FC)	Arkansas-Red Basins chloride control, Texas, Oklahoma, and Kansas		1,300,000		1,300,000
(FC)	Birch Lake	3,450,000		3,450,000	
(FC)	Clayton Lake	660,000		660,000	
(FC)	Copan Lake	1,800,000		4,000,000	
(FC)	Hugo Lake	700,000		700,000	
(FC)	Kaw Lake	11,100,000		11,100,000	
	McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma. (See Arkansas.)				
(FC)	Optima Lake	9,150,000		9,150,000	
(FC)	Skiatook Lake	3,000,000		4,250,000	
(FC)	Waurika Lake	9,400,000		9,400,000	
(MP)	Webbers Falls lock and dam	1,246,000		1,246,000	

	Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
		Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)
	Oregon:				
(FC)	Applegate Lake (land acquisition)			$1,000,000	
(FC)	Beaver Drainage District			300,000	
(MP)	Bonneville lock and dam (2d powerhouse) Oregon and Washington	$11,100,000		11,500,000	
(MP)	Bonneville lock and dam (mod. for peaking), Oregon and Washington	6,600,000		6,600,000	
(FC)	Catherine Creek Lake	1,500,000		1,500,000	
(N)	Columbia and lower Willamette Rivers, (40-foot project), Oregon and Washington	600,000		600,000	
(N)	Coos Bay		$139,000		$139,000
(MP)	Cougar Lake	750,000		750,000	
(FC)	Days Creek Lake (phase I)				300,000
(FC)	Elk Creek Lake	1,500,000		1,500,000	
(MP)	John Day lock and dam, Oregon and Washington	5,200,000		5,200,000	
(MP)	Lost Creek Lake	29,000,000		29,000,000	
(FC)	Lower Columbia River bank protection, Oregon and Washington	500,000		500,000	
(MP)	McNary lock and dam, Oregon and Washington	500,000		500,000	
(FC)	Scappoose Drainage District	100,000		280,000	
	The Dalles lock and dam, Washington and Oregon (additional units). (See Washington.)				
(N)	Tillamook Bay and Bar	1,510,000		1,510,000	
(FC)	Willamette River Basin bank protection	300,000		300,000	
	Pennsylvania:				
(FC)	Blue Marsh Lake	7,275,000		7,275,000	
(FC)	Chartiers Creek	1,500,000		1,500,000	
(FC)	Cowanesque Lake	5,000,000		5,000,000	
(FC)	DuBois	500,000		500,000	
(N)	Grays Landing lock and dam		100,000		100,000
(N)	Point Marion lock				75,000
(BE)	Presque Isle Peninsula			750,000	
(FC)	Raystown Lake	2,200,000		2,500,000	
(FC)	Tioga-Hammond Lakes	18,000,000		20,400,000	
(MP)	Tocks Island Lake, Pa., N.J., and N.Y (Comprehensive review and analysis)	6,040,000		1,500,000	
(FC)	Tyrone	1,800,000		1,800,000	
(FC)	Union City Lake	800,000		800,000	
	Puerto Rico:				
(FC)	Portugues and Bucana Rivers			1,500,000	
	South Carolina:				
(N)	Cooper River-Charleston Harbor			1,000,000	
(N)	Little River Inlet, S.C., and N.C		250,000		250,000
(N)	Murrells Inlet		250,000		250,000
(FC)	Reedy River		130,000		
	Richard B. Russell Dam and Lake, Ga. and S.C. (See Georgia.)				
	South Dakota:				
(MP)	Big Bend Dam-Lake Sharpe	1,124,000		1,124,000	
	Big Stone Lake-Whetstone River, Minn. and S. Dak. (See Minnesota.)				
	Gavins Point Dam-Lewis and Clark Lake (relocation of Niobrara Nebraska) Neb. and S. Dak. (See Nebraska.)				
(FC)	Sacred Heart Hospital, Yankton, Missouri River, emergency bank stabilization			125,000	
(MP)	Oahe Dam-Lake Oahe, S. Dak. and N. Dak	1,589,000		577,000	
	Tennessee:				
	Big South Fork National River and Recreation Area. (See Kentucky.)				
(MP)	Cordell Hull Dam and Reservoir	1,161,000		1,161,000	
	Texas:				
(FC)	Aquilla Lake		400,000		596,000
	Arkansas Red Basin chloride control, Texas, Oklahoma, and Kansas. (See Oklahoma.)				
(FC)	Aubrey Lake			3,000,000	
(FC)	Big Pine Lake		230,000		230,000
(FC)	Buffalo Bayou and tributaries	1,100,000		1,100,000	
(FC)	Carl L. Estes Dam and Lake (Mineola)		360,000		360,000
(FC)	Clear Creek		100,000		100,000
(FC)	Cooper Lake and channels	2,000,000		2,200,000	
(N)	Corpus Christi ship channel	3,500,000		4,500,000	
(FC)	El Paso	1,800,000		1,800,000	
(FC)	Freeport and vicinity, hurricane flood protection	2,200,000		2,200,000	
(N)	Freeport Harbor (1970 act)		150,000		150,000
(N)	Galveston Channel (1971 act)	1,570,000		1,570,000	
(FC)	Guadalupe River (remove logjams)	285,000		285,000	
(FC)	Highland Bayou	1,000,000		1,000,000	
(FC)	Lake Brownwood modification		250,000		250,000
(FC)	Lakeview Lake	1,000,000		2,500,000	

	Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
		Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)
	Texas—Continued				
(FC)	Lavon Lake modification and east fork channel improvement	$5,400,000		$5,400,000	
(FC)	Lower Rio Grande Basin (phase 1)				$150,000
(FC)	Millican Lake		$370,000		500,000
(N)	Mouth of Colorado River		150,000		150,000
(FC)	Pecos and vicinity		120,000		120,000
(FC)	Peyton Creek		170,000		170,000
(FC)	Port Arthur and vicinity hurricane flood protection	5,900,000		5,900,000	
	Red River Emergency Bank Protection (See Louisiana.)				
	Red River levees and bank stabilization, below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
(FC)	San Antonio Channel improvement	2,175,000		2,175,000	
(FC)	San Gabriel River	9,000,000		10,000,000	
(FC)	Taylors Bayou	500,000		500,000	
(FC)	Texas City and vicinity hurricane flood protection	1,737,000		1,737,000	
(N)	Texas City channel (industrial canal)		90,000		90,000
(FC)	Three Rivers		60,000		60,000
(FC)	Trinity River project		650,000		650,000
	Utah:				
(FC)	Little Dell Lake		420,000		420,000
	Virginia:				
(FC)	Buena Vista (phase I)				250,000
	Delaware Bay to Chesapeake Bay Waterway. (See Delaware.)				
(FC)	Fourmile Run, City of Alexandria, and Arlington County			2,000,000	
(FC)	Gathright Lake	6,000,000		6,000,000	
	Potomac Estuary pilot water treatment plant, District of Columbia, Maryland, and Virginia. (See District of Columbia.)				
	Tug Fork Valley, Ky., Va., and W. Va. (See Kentucky.)				
(FC)	Verona Lake (phase I)				200,000
(BE)	Virginia Beach (reimbursement)	230,000		230,000	
	Washington:				
	Bonneville lock and dam, Oregon and Washington. (See Oregon.)				
(MP)	Chief Joseph Dam, Rufus Woods Lake (additional units)	27,000,000		27,000,000	
	Columbia and lower Willamette Rivers, (40-ft. project) Oregon and Washington. (See Oregon.)				
(BE)	Ediz Hook				250,000
(MP)	Ice Harbor lock and dam, Lake Sacajawea (additional units)	5,400,000		5,400,000	
	John Day lock and dam, Oregon and Washington. (See Oregon.)				
(MP)	Little Goose lock and dam—Lake Bryan (additional units)	4,600,000		4,600,000	
	Lower Columbia River bank protection, Oregon and Washington. (See Oregon.)				
(MP)	Lower Granite lock and dam	35,600,000		35,600,000	
(MP)	Lower Granite lock and dam (additional units)	4,600,000		4,600,000	
(MP)	Lower Monumental lock and dam	1,650,000		1,650,000	
(MP)	Lower Monumental lock and dam (additional units)		200,000	450,000	
	McNary lock and dam, Oregon and Washington. (See Oregon.)				
(MP)	The Dalles lock and dam, Washington and Oregon (additional units)	1,100,000		1,100,000	
(FC)	Wahkaikum County Consolidated Diking District No. 1	380,000		380,000	
(FC)	Wenatchee, Canyons 1 and 2		270,000		270,000
(FC)	Wynoochee Lake (fish hatchery)			696,000	
	West Virginia:				
(FC)	Beech Fork Lake	5,500,000		5,500,000	
	Bloomington Lake, Md. and W. Va. (See Maryland.)				
(FC)	Burnsville Lake	9,100,000		9,600,000	
(FC)	Coal River Basin		147,000	197,000	
	Dam No. 3, Big Sandy River. (See Kentucky.)				
(FC)	East Lynn Lake	3,200,000		3,200,000	
	Galipolis Locks and Dam, Ohio and W. Va. (See Ohio.)				
	Hannibal locks and dam, Ohio and West Virginia. (See Ohio.)				
(FC)	R. D. Bailey Lake	17,600,000		18,600,000	
	Lower Guyandot River			(500,000)	
(FC)	Stonewall Jackson Lake	1,000,000		1,000,000	
	Tug Fork Valley, Ky., Va. and W. Va. (See Kentucky.)				
(FC)	West Fork Lake		50,000		50,000
	Willow Island lock and dam, Ohio and West Virginia. (See Ohio.)				
	Wisconsin:				
(FC)	La Farge Lake and channel improvement	3,000,000		4,000,000	
(N)	Northport Harbor		40,000		40,000
(FC)	Prairie du Chien				30,000
(FC)	State Road and Ebner Coulees		100,000		100,000

Construction, general, State and project	Budget estimate for fiscal year 1975		Conference allowance	
	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)
Miscellaneous:				
(N) Small navigation projects not requiring specific legislation costing up to $1,000,000 (sec. 107)	$2,830,000		$2,830,000	
(N) Mitigation of shore damages attributable to navigation projects (sec. 111)			500,000	
(FC) Emergency stream bank and shoreline protection	1,000,000		1,000,000	
Recreation facilities, at completed projects	25,000,000		26,000,000	
Fish and wildlife studies (U.S. Fish and Wildlife Service)	1,800,000		1,800,000	
Aquatic plant control (1965 act)	1,500,000		1,500,000	
Employees compensation	1,870,000		1,870,000	
Reduction for anticipated savings and slippages	−58,894,000		−58,894,000	
General reduction based on anticipated delays and carry-over balances and other reductions			−20,997,000	
Grand total, Construction, General	909,240,000	$18,260,000	951,224,000	$22,457,000
	(927,500,000)		(973,681,000)	

Amendment No. 6 Changes "Bureau of Sport Fisheries and Wildlife" to "U.S. Fish and Wildlife Service."

Lock and Dam No. 26, Mississippi River, Alton, Illinois and Mo.—The Committee of Conference is agreed that the new replacement locks are being designed for maximum efficient operation within the presently authorized 9-foot navigation project on the Upper Mississippi River. This design does not and cannot commit the Congress in any manner to a 12-foot navigation project on the Upper Mississippi River.

Burlington Dam, North Dakota—The Conferees concur that the Corps of Engineers shall re-examine and consider the matter of obtaining flowage easements in connection with this project.

Tocks Island Lake, Pa., N.J., and N.Y.—The Conferees are in agreement that the funds allocated to the Tocks Island project shall be made available for an impartial, comprehensive analysis, including alternatives, and review of the project under the direction of the Corps of Engineers and in cooperation with the Delaware River Basin Commission. The Conferees direct that this investigation be completed, and a final and definitive recommendation be submitted to the Committees within the next 12 months.

Lakeview Lake, Lorain, Ohio—Within available funds the Corps may utilize $30,000 to proceed with the advance engineering and design of the Lakeview Lake, Lorain, Ohio project.

Flood control, Mississippi River and tributaries

Amendment No. 7: Appropriates $161,948,000 instead of $150,000,000 as proposed by the House and $166,618,000 as proposed by the Senate. The changes provided from the House bill are allocated as follows:

General investigations:	
Wolf and Loosahatchie Rivers, Tennessee and Miss	+50,000
Laconia Circle Area, Desha County, Ark	+20,000
Yazoo River Basin	+100,000
Subtotal, General Investigations	+170,000
Construction and planning:	
Mississippi River Levees	+650,000
Channel improvement	+2,000,000
St. Francis Basin	+2,900,000
Tensas Basin:	
Boeuf and Tensas Rivers	+1,000,000
Red River backwater	+500,000
Yazoo Basin:	
Tributaries	+1,550,000
Yazoo Backwater	+1,275,000
Atchafalaya Basin	+1,000,000
Teche Vermilion Basin	[1] +153,000
Eastern Rapides and South Central Avoyelles Parishes, Louisiana	[1] +200,000
Mississippi River, East Bank, Natchez area, Mississippi (phase I)	[1] +50,000
Subtotal, Construction and Planning	+11,278,000
Operation and Maintenance	+500,000
Total Increase	+11,948,000

[1] Planning

Operation and Maintenance, General

Amendment No. 8: Appropriates $446,577,000 instead of $440,877,000 as proposed by the House and $455,877,000 as proposed by the Senate. The increase over the House bill provides $5,000,000 for the Southwest Pass Navigation channel leading from the Gulf of Mexico to New Orleans, La.; and $700,000 for the Illinois-Mississippi (Hennepin) Canal. The managers agree that $375,000 is included for the Mississippi River between Missouri River and Minneapolis.

Special Recreation Use Fees

Amendment No. 9: Appropriates $700,000 instead of $300,000 as proposed by the House and $1,000,000 as proposed by the Senate.

Amendment No. 10: Corrects citation.

Administrative Provisions

Amendment No. 11: Provides limitation on Capital of the revolving fund of $228,000,000 as proposed by the House instead of $229,000,000 as proposed by the Senate.

The Committee on Conference is in agreement that the Corps should proceed with the necessary modifications to the hopper dredge Pacific which will permit the Corps to use this dredge to operate in inside harbor and estuary areas, in addition to bar and entrance channel areas as required for the most economical and safe use of the Pacific. Further, as replacement of the auxiliary electrical power system of the hopper dredge Comber is urgently needed to maintain this vessel's reliability and performance, the Corps should proceed immediately with the work they have recommended for the Comber.

In addition, following the completion of the dredge study the Committee of Conference authorizes the Corps of Engineers to proceed with such modification and modernization of existing Corps' hopper dredges in a scheduled and orderly manner as the Corps deems appropriate in the public interest.

It is the further recommendation of the Conferees that the Corps endeavor to utilize the services of private contractors and permit or authorize bidding on pipeline dredging work by private industry when feasible, practical and economical as deemed necessary and desirable in the public interest.

The Conferees direct the Corps of Engineers to continue to report on the hopper dredge modifications and work performed by private industry to the Committees on Appropriations of the House and Senate annually.

TITLE III—DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

General Investigations

Amendment No. 12: Appropriates $19,427,000 instead of $18,536,000 as proposed by the House and $19,651,000 as proposed by the Senate. The increase provided over the House bill amount includes the following:

Gallup, N. Mex	$225,000
New Mexico State water plan	50,000
Yakima Indian Reservation, Wash	40,000
Colorado River water quality improvement program	426,000
Fish and Wildlife Coordination Act studies	150,000

The Committee of Conference directs the Bureau to undertake, together with other appropriate agencies and the Colvilles, a study to determine the requirements for a bridge or ferry on the Columbia River to meet the needs of the Colville Indians. In the interim, the Bureau is to take action, through other agencies if necessary, to identify and secure means for providing emergency health service to reservation residents.

Amendment No. 13: Approves limitation of $400,000 to be transferred to U.S. Fish and Wildlife Service instead of $250,000 as proposed by the House and $450,000 as proposed by the Senate.

Amendment No. 14. Changes "Bureau of Sport Fisheries and Wildlife" to "U.S. Fish and Wildlife Service."

Construction and Rehabilitation

Amendment No. 15: Appropriates $244,123,000 instead of $261,160,000 as proposed by the House and $247,490,000 as proposed by the Senate. The changes from the House bill includes a decrease of $21,450,000 for work on the Coachella Canal in California associated with the Colorado River Salinity Control program which is now considered under a new appropriation title, "Colorado River Basin Salinity Control Projects", and other changes in the House bill amount as follows:

Westlands distribution system, Central Valley project, California	+1,663,000
San Luis Drain, San Luis Unit, Central Valley project, California	+800,000

San Luis Valley, Closed Basin Division, Colorado	−100,000
Upper Snake River project, Salmon Falls Division, Idaho	+50,000
Southern Nevada Water Project, (phase II) Nevada	+500,000
Garrison Diversion Unit, North Dakota	+1,500,000

The Committee of Conference directs that the funds previously appropriated for the Bacon Siphon and Tunnel No. 2, $1,055,000, be utilized for the purposes the funds were originally provided and the Conferees specifically prohibit the proposed transfer of these funds for any other purpose. Additional funds required for other aspects of the Columbia Basin, Washington project should be requested of the Congress if needed.

Upper Colorado River Storage Project

Amendment No. 16: Appropriates $24,621,000 instead of $24,251,000 as proposed by the House and $24,771,000 as proposed by the Senate. The increase over the House bill provides $220,000 for the Central Utah project, Upalco Unit, and $150,000 for the Lyman, Wyoming project.

Amendment No. 17: Approves limitation of $22,967,000 instead of $22,597,000 as proposed by the House and $23,117,000 as proposed by the Senate for the Upper Colorado River Basin Fund.

Colorado River Basin Project

Amendment No. 18: Appropriates $55,800,000 instead of $60,800,000 as proposed by the House and $55,400,000 as proposed by the Senate. The managers are agreed that not to exceed $400,000 is provided for the acquisition of Indian lands.

Colorado River Basin Salinity Control Projects

Amendment No. 19: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate appropriating $27,650,000 for the Colorado River Basin Salinity Control Projects authorized by Public Law 93-320, enacted June 24, 1974.

Operation and Maintenance

Amendment No. 20: Provides a limitation as proposed by the Senate providing that no part of the funds appropriated under operation and maintenance shall be used directly or indirectly for the operation of the Newlands Reclamation project in the State of Nevada. This action is recommended pending the final determination of a court case.

Alaska Power Administration

General Investigations

Amendment No. 21: Changes "Bureau of Sport Fisheries and Wildlife" to "U.S. Fish and Wildlife Service."

Bonneville Power Administration

Construction

Amendment No. 22: Appropriates $128,000,000 instead of $108,000,000 as proposed by the House and $129,000,000 as proposed by the Senate. The Committee of Conference is agreed that not to exceed $1,000,000 may be used for the Hot Springs-Bell transmission line within the funds provided.

Operation and Maintenance

The conferees agree that, under emergency conditions, the Administrator of the Bonneville Power Administration may utilize funds appropriated to "operation and maintenance" for the purchase of power for delivery to BPA to the extent funds are available.

TITLE IV—INDEPENDENT OFFICES

Water Resources Council

Water Resources Planning

Amendment No. 23: Appropriates $9,775,000 as proposed by the House instead of $10,175,000 as proposed by the Senate.

Amendment No. 24: Provides limitation of $2,183,000 as proposed by the House instead of $2,583,000 as proposed by the Senate for preparation of assessments and management plans.

TITLE V—GENERAL PROVISIONS

Amendment No. 25: Deletes limitation proposed by Senate.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for fiscal year 1975 recommended by the Committee of Conference with comparison to fiscal year 1974 amount, to the 1975 budget estimate and to the House and Senate bills for 1975 follows:

New budget (obligational) authority, fiscal year 1974	$3,942,898,000
Budget estimate of new budget (obligational) authority, fiscal year 1975	4,526,826,000
House bill, fiscal year 1975	4,475,410,000
Senate bill, fiscal year 1975	4,568,203,000
Conference agreement, fiscal year 1975	4,505,472,000
Conference agreement compared with: New budget (obligational) authority, fiscal year, 1974	+562,574,000
Budget estimate of new budget (obligational) authority, fiscal year 1975	−21,354,000
House bill, fiscal year 1975	+30,062,000
Senate bill, fiscal year 1975	−62,731,000

JOE L. EVINS,
EDWARD P. BOLAND,
JAMIE L. WHITTEN,
JOHN M. SLACK,
OTTO E. PASSMAN,
GEORGE MAHON,
GLENN R. DAVIS,
(except amendment No. 7 and report language re amendment No. 11),
HOWARD W. ROBISON,
JOHN T. MYERS,
ELFORD A. CEDERBERG,
Managers on the Part of the House.

JOHN C. STENNIS,
JOHN L. MCCLELLAN,
WARREN G. MAGNUSON,
ALAN BIBLE,
ROBERT C. BYRD,
JOHN O. PASTORE,
MARK O. HATFIELD,
MILTON R. YOUNG,
ROMAN L. HRUSKA,
CLIFFORD P. CASE,
JENNINGS RANDOLPH,
Managers on the Part of the Senate.

EXPRESSING THE SENSE OF CONGRESS THAT RICHARD M. NIXON BE GRANTED IMMUNITY FROM PROSECUTION

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, I have today introduced a concurrent resolution expressing the sense of the Congress that Richard M. Nixon be granted immunity by the person who succeeds him in the Office of President from prosecution for any alleged offense against the United States by Richard M. Nixon while in office as President of the United States.

There seems to be some constitutional question as to the power of Congress to pass binding legislation in this area. We can, however, express the sense of the Congress, and the President who succeeds can clearly grant amnesty. It would seem to me that any other course of action would be a form of double jeopardy, whatever the outcome of the present situation. Whether the President should leave by resignation, by conviction, or be acquitted and serve out his term, it would seem to me we would want to see such amnesty granted.

I hope this or some similar resolution will, therefore, pass to undergird and help assure this action.

CONFERENCE REPORT ON S. 2957, OVERSEAS PRIVATE INVESTMENT CORPORATION

Mr. CULVER. Mr. Speaker, I call up the conference report on the Senate bill (S. 2957) relating to the activities of the Overseas Private Investment Corporation, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 30, 1974.)

Mr. CULVER (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Iowa (Mr. CULVER).

Mr. CULVER. Mr. Speaker, the purpose of the conference bill, like the purpose of the original House bill, is to extend the statutory life of the Overseas Private Investment Corporation with certain alterations, and to phase out OPIC's responsibilities as a primary insurer of overseas investment risks in favor of private insurance companies—the so-called "privatization" of OPIC's insurance role, whereby the agency will assume the function of a reinsurer.

The conferees for the House and Senate met on July 24, 1974, to resolve differences between the bills passed by the two Chambers. The principal points at issue were the length of the authorization, the mandatory or nonmandatory termination of OPIC's writing of insurance, and the extent of liability to be borne by private insurance companies.

The conferees agreed to extend OPIC's operating authority for 3 years, through December 31, 1977. This was in accord with the House bill, and overrode the 2-year extension provided for in the Senate bill.

Both chambers had specified that OPIC's role as a primary insurer should be terminated on December 31, 1979, for expropriation and convertibility risks and on December 31, 1980, for war risks. The House conferees agreed to make these dates mandatory, with the understand-

ing that Congress would have an opportunity to review this matter before the new authorization expires in 1977. By then, we will have almost 3 years of experience with the new direction being charted for OPIC and can determine whether to reaffirm or alter our judgment.

The reinsurance formula adopted by the conferees is from the House bill. It provides that private insurance companies shall accept specific portions of liability "to the maximum extent possible." The Senate formula was more rigid, in that it would have required private insurers to accept annual losses equal to 50 percent of the largest amount of insurance they had outstanding in the country with the largest exposure, before OPIC could pay any reinsurance. The fact is that OPIC is now negotiating arrangements that would reduce its own involvement below the level sought by the Senate, but which technically would not comply with the Senate formula. The conferees agreed that the flexibility in the House language was preferable.

On other significant issues, the House conferees receded from the House provision specifically directing OPIC to serve as an active broker between the development plans of eligible countries and the investment interests of U.S. investors. This is a function which OPIC has performed and which the conferees believe should be continued. They receded only on the understanding that a specific directive was redundant with the authority already contained in section 234 (d) of the Foreign Assistance Act.

Both bills provided that OPIC could seek appropriations from Congress only when its insurance reserve falls below $25 million. At present, OPIC has reserves substantially in excess of that figure, so the House conferees receded from delaying this limitation until after the appropriations for fiscal 1975.

The House bill provided for the expansion of the agricultural credit and self-help community development program. The Senate conferees objected to giving OPIC enlarged responsibilities at a time when its role will otherwise be contracting. The House conferees agreed, and it is now contemplated that the program will be shifted to AID where there will be room for the desired expansion.

The conferees accepted the House provision barring OPIC from granting coverage to "runaway" plant—those whose establishment would significantly diminish the number of U.S. jobs provided by the investor.

The conferees also resolved conflicting guidance contained in committee reports of the two bodies with respect to future OPIC operations in Indochina. It is the declared intent of the conferees that OPIC consult with the House Foreign Affairs Committee and the Senate Foreign Relations Committee when Indochina investment plans are formulated and as those plans evolve. Further, it is our expressed view that OPIC should not insure any large U.S. private investments in Indochina unless significant private insurance participation is obtained or until specific instructions are received from both Houses of Congress. These restraints are designed to permit carefully planned operations in Indochina that will not produce added political engagement by the U.S. Government in that troubled part of the world.

Mr. Speaker, I urge adoption of the conference report.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. CULVER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mr. Speaker, this conference report represents agreement on an extension of the statutory authority for the Overseas Private Investment Corporation.

I am pleased to express my strong support for this report which, in my opinion, represents a good compromise with the Senate position. I would like to emphasize that the House conferees sustained the House position on the major issues in conference.

On the single most important issue—the reinsurance formula—the Senate accepted the House position, which requires private insurance companies to accept specified portions of liability "to the maximum extent possible," rather than the Senate's more rigid formula.

The conference also accepted the House position on extension of authority, agreeing to the 3-year extension granted in the House bill rather than the 2-year period provided in the Senate bill.

This legislation will enable OPIC to move ahead with plans to phase out its responsibilities as a primary insurer of overseas investment risks, with this function being taken over by private insurance companies while OPIC serves as a reinsurer. The conferees agreed that OPIC's role as a primary insurer should end on December 31, 1979, for expropriation and convertibility risks. Its role as a primary insurer for war risks would end a year later. However, I would point out that since this legislation provides a 3-year authorization, the Congress will have an opportunity in 1977 to evaluate its decision regarding OPIC's future role.

Mr. Speaker, I am pleased that OPIC's directions for the next 3 years have been successfully resolved by the conference, and I urge approval of the conference report.

Mr. GILMAN. Mr. Speaker, I rise in support of the conference report on H.R. 13973, the Overseas Private Investment Corporation Act.

As a cosponsor of this legislation I am pleased that the conferees have come forward with an acceptable compromise which will insure OPIC continuing its good work in furthering our Nation's objectives in the developing world.

Over a year ago, I had the opportunity of evaluating firsthand OPIC's work among several countries in South America. In visiting Brazil and Argentina and meeting with OPIC officials there as well as representatives of those businesses insured under the OPIC program, I was able to observe the operations of OPIC at work. While the program is far from perfect, my discussions with associated individuals convinced me that our private investment program is constantly improving, is responsive to the needs of the developing countries and is furthering our Nation's own best interests in international economic affairs.

The interdependent world in which we live demands cooperation among all nations. OPIC, through an unsubsidized program, reflecting the capitalistic system on which our Nation is based, has developed a program which fosters the best interests of our own Nation as well as providing assistance to the developing world.

Mr. CULVER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CULVER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 16027, INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1975

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. 16027, making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1975, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Mrs. HANSEN of Washington and Messrs. YATES, MCKAY, LONG of Maryland, EVANS of Colorado, MAHON, MCDADE, WYATT, VEYSEY, and CEDERBERG.

EIGHTEENTH ANNUAL REPORT OF PRESIDENT ON TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-334)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and means and ordered to be printed:

To the Congress of the United States:

In accordance with section 402(a) of the Trade Expansion Act of 1962 (TEA), I transmit herewith the Eighteenth Annual Report of the President on the Trade Agreements Program. This report covers developments in the year ending December 31, 1973.

Last year was a particularly important one for United States and world

trade, as this report demonstrates in detail. Unquestionably the highlight occurred last September in Tokyo, when the ministers of 105 sovereign nations joined to declare their support for a new round of multilateral trade negotiations, the seventh since the General Agreement on Tariffs and Trade (GATT) was signed in 1947. This round represents a major initiative of the United States, along with initiatives in the international monetary field, begun in the fall of 1971. The charter for these negotiations, as embodied in the Declaration of Tokyo, is the most ambitious yet.

The purpose of these talks is no less than to modernize a world trading system which, though it has well served the world's peoples and brought about the many benefits of a four-fold expansion of trade, is no longer capable of responding to the needs and realities of a rapidly changing and increasingly interdependent world economy.

First, these talks are aimed not only at the continuing need to facilitate trade by lowering tariffs, but at reducing today's most pervasive and restrictive export inhibitors, so-called non-tariff trade barriers (NTBs). Unless these can be effectively dealt with, no major exporting nation—especially the United States—can hope to remain competitive in today's and tomorrow's world markets. And loss of competitiveness abroad can threaten the viability of firms and lead to loss of markets at home.

Second, the inflationary pressure of increased costs has become a major international problem which must be dealt with multilaterally if we are to adequately deal with inflation domestically.

Third, the need to maintain access to vital raw materials, energy, and food requires negotiated assurances for such access to supplies as well as to markets.

Fourth, economic issues should be managed and negotiated in parallel with political and security issues, in order to make progress on all three fronts.

Finally, we must encourage sovereign governments to work within an acceptable international framework to deal with such problems as import safeguards and export subsidies. At the same time we must have the authority to defend our legitimate national interests and manage domestic concerns in the context of an up-to-date, responsive and responsible international system.

None of these objectives can be accomplished without the appropriate legislative authorization. This authority—carefully balanced with provisions for the most effective Congressional and public participation in our trade policy-making and negotiating since GATT was formed—is represented in the Trade Reform Act, which I submitted to the Congress in April of 1973. This legislation, which passed the House by a margin of nearly two-to-one last December and is now pending in the Senate, is still urgently needed.

Time is now of the essence with regard to the trade bill. Our trading partners have demonstrated their willingness to use and improve multilateral channels for trade negotiation. Just this spring, the European Community negotiated a fair and equitable accord compensating us for tariff changes resulting from the enlargement of the European Common Market. Through the Organization for Economic Cooperation and Development (OECD), ministers of member countries have joined with the U.S. in renouncing trade restrictive measures as balance-of-payments correctives, at least until the basic problems caused by oil price increases can be addressed through improvements in the monetary system. Developing countries, particularly our partners in Latin America, have indicated their willingness to work with us toward trade expansion and reform. As I have noted before, our new approaches to the socialist countries, especially to the USSR and the Peoples' Republic of China, hinge in large measure upon our ability to open up peaceful avenues of trade with them. Again, I have expressed my willingness to work with the Congress to find an acceptable formulation for this authority. In Geneva, the GATT Trade Negotiations Committee has announced a program of work for the fall to further prepare for the actual bargaining.

In short, the rest of the world is waiting for us at the trade negotiating table. The alternative is an indefinite period in which nations, including ours, will be forced to deal with increasingly complex and interdependent trade problems on an *ad hoc* basis. Experience has shown that this could lead to a proliferation of those problems and disputes over the best ways to resolve them. The adverse fallout from the resulting uncertainties and temptations of shortsighted unilateral actions could also seriously jeopardize gains we have made in the diplomatic and security fields.

For all these reasons, I take this occasion once again to urge prompt and final action on the Trade Reform Act. It is essential that we move ahead to revitalize the global trading system through multilateral negotiations.

RICHARD NIXON.

THE WHITE HOUSE, *August 8, 1974.*

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 461]

Andrews, N.C.	Diggs	Macdonald
Ashley	Gray	Michel
Aspin	Gubser	Mitchell, Md.
Blatnik	Gude	Murphy, N.Y.
Brasco	Guyer	Patten
Burke, Calif.	Hansen, Idaho	Rangel
Carey, N.Y.	Hansen, Wash.	Rarick
Chisholm	Hébert	Reid
Clark	Hogan	Rodino
Clay	Holifield	Rooney, N.Y.
Conyers	Jones, Okla.	Ruppe
Corman	Kuykendall	Teague
Davis, Ga.	Lehman	Vander Jagt
Dellums	Long, Md.	Wiggins
Dennis	McSpadden	Williams

The SPEAKER. On this rollcall 389 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

REPORT OF FEDERAL ACTIVITIES DURING 1974 FOR NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–333)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed with illustrations:

To the Congress of the United States:

As required by Section 310(d) of the Adult Education Act of 1966, as amended (20 U.S.C. 1209(d)), I transmit herewith a report of Federal activities during fiscal year 1974 for the National Advisory Council on Adult Education.

RICHARD NIXON.

THE WHITE HOUSE, *August 8, 1974.*

RESOLUTION PROVIDING FOR CONTINUITY OF U.S. FOREIGN POLICY

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, in view of the exceptional circumstances facing the U.S. Government at the present time, I am today introducing a House resolution expressing the determination of the House that despite domestic difficulties we are united in support of a foreign policy designed to build a structure of peace in the world.

At a time when the Presidency may appear weakened and some may be tempted to take advantage of the United States, I believe it is urgent that we make totally clear to those abroad that our governmental difficulties stop at the water's edge. On the important issues of peace, war, and the fulfillment of our international obligations there should be no doubt that the Congress and the executive branch are prepared to continue to work together.

We are indeed fortunate to have such an able Secretary of State at the present time. He enjoys virtually unparalleled support in the Congress and I believe that swift passage of a resolution of this kind will strengthen his hand just at the time when some abroad may mistake the crisis of a President for the crisis of a nation.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

Mr. HAYS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 16090) to impose overall limitations on campaign expenditures and political contributions; to provide that each candidate for Federal of-

fice shall designate a principal campaign committee; to provide for a single reporting responsibility with respect to receipts and expenditures by certain political committees; to change the times for the filing of reports regarding campaign expenditures and political contributions; to provide for public financing of Presidential nominating conventions and Presidential primary elections; and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio (Mr. HAYS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 16090), with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, it was considering eligible amendments to title I of the bill, under the provisions of the rule adopted on yesterday and under the Chairman's statement of yesterday.

AMENDMENT OFFERED BY MR. BUTLER

Mr. BUTLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: Page 13, after line 5 insert the following:

(b) Section 591 (e)(1) of Title 18, United States Code, relating to the definition of a contribution, is amended by inserting after the word "business" the following ", which shall be considered a loan by each endorser, in that proportion of the unpaid balance thereof that each endorser bears to the total number of endorsers)".

And renumber the following sections accordingly.

Mr. BUTLER. Mr. Chairman, under the proposed legislation limitations are placed on the amount of contributions to political campaigns. The word, "contribution," is defined under existing law.

Under that definition a loan is considered a contribution. An exception is made for loans by banks.

The proposed amendment would make loans by banks loans by the endorsers thereof as a contribution. The amount of the endorsement is charged as a contribution, a loan or a contribution, and it would be in the proportion of the total number of the endorsers on the loan. The amount of the contribution and loan would be the unpaid balance thereof.

Mr. Chairman, I am led to believe that this has the blessing of the gentleman from Ohio (Mr. HAYS), and I will yield to him if he wishes me to.

Mr. HAYS. Mr. Chairman, if the gentleman will yield, as I understand the amendment offered by the gentleman from Virginia (Mr. BUTLER), this would be a loan for a political campaign purpose?

Mr. BUTLER. That is correct.

Mr. HAYS. And not a loan for a private business purpose, or anything like that?

Mr. BUTLER. That is correct.

Mr. HAYS. Under these circumstances, and with that understanding, the Chairman on behalf of this side is prepared to accept the amendment.

Mr. YOUNG of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. I yield to the gentleman from Illinois.

Mr. YOUNG of Illinois. Mr. Chairman, the question occurs to me, supposing a candidate takes a loan for his campaign, supposing the candidate is temporarily out of funds, and he borrows $10,000. He goes to the bank, and he signs a note and gets $10,000 and puts it into his campaign account. Then, thereafter, as the campaign progresses and more money comes into the candidate from contributions, that loan is repaid to him, and he repays the bank. Is that going to put any limitation on the fact that he cannot ask for or contribute additional moneys? In other words, I would say to the gentleman from Virginia (Mr. BUTLER) will the $10,000 bank loan that was repaid prevent the candidate from contribuing an additional $25,000? Would the loan and the repayment of the loan be counted against the $25,000? I do not believe that it should so long as he does not make over $25,000 in contributions. A loan like that, an in-and-out loan certainly should not be counted against any such limitation.

Mr. BUTLER. The gentleman from Illinois is exactly right. The unpaid balance would indicate the contribution so that at any time the contributions could not exceed the limitation.

Mr. FRENZEL. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. I yield to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Chairman, I would state to the gentleman from Virginia (Mr. BUTLER) that this side has no objection to the amendment the gentleman has offered. I would comment that the $25,000 limitation applies to the candidate and his family and, in my judgment, the $1,000 contribution limitation might more properly apply to the candidate himself.

Mr. PARRIS. Mr. Chairman, if the gentleman will yield, pursuing the line of questioning for the purpose of the RECORD, that the gentleman from Illinois (Mr. YOUNG) pursued, am I correct in my understanding that in the case of a hypothetical $10,000 loan that there would have to be 10 or more endorsers in order to limit the individual contribution apportioned to each endorser to a sum less than the $1,000 statutory individual limitation.

Mr. BUTLER. That would be correct.

Mr. PARRIS. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. BUTLER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HANRAHAN

Mr. HANRAHAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANRAHAN: Page 11, line 10, strike out "which, in the aggre-" and all that follows down through line 13, and insert in lieu thereof "for Federal office.".

The CHAIRMAN. The Chair will have to inform the gentleman from Illinois (Mr. HANRAHAN) that the gentleman's amendment is offered to page 11, which is not open for amendment under the provisions of the rules which govern the consideration of this bill.

Mr. DENT. Mr. Chairman, I have an amendment at the desk, and I request that the Chair look into the amendment to see whether or not it is in order.

The CHAIRMAN. The Chair will examine the amendment.

Mr. DENT. I believe it is, but I will await the decision of the Chair.

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that there are two amendments to title I offered by the gentleman from Pennsylvania.

Mr. DENT. That is correct.

The CHAIRMAN. Both of them are not in order under the rule.

Mr. DENT. Mr. Chairman, I move to strike the last word.

Mr. DENT. Mr. Chairman, I accept, of course, the decision of the Chair, although I was informed by our legal rights that it was in order.

However, it is not that important. What is important is that the record be made on this particular amendment. It is not so much whether the figures are right; it is not so much whether it is the thing that we can do today; but it is something we should be thinking about. So I offered the amendment more to get before the House the proposition that ought to be considered very seriously in the very near future.

I have taken a very long, hard look at the problems surrounding campaign financing for many, many years, locally, countywise, Statewise, and nationally. I have said here on the floor that the time has come when we must consider that we have to provide some means of providing the sufficient capital to fund a campaign, one, an amount that will not be prohibitive, that will not set aside thousands of Americans who want to run for Congress and have every right to run for Congress, but under no conditions could they raise anywhere near the amount of money that we have established as a ceiling in this particular bill and in others.

I propose that some day this Congress will have the courage, and those who monitor Congress will have the wisdom, to increase the salary of Members of Congress to a point and to a sum which will allow a reasonable, reachable limit of spending of, say, 1 year's salary, $42,500 a year, in an election year to be spent. That could be added to the Member's salary in a 2-year period, which would give an increase of $21,250, and a Member would be allowed to deduct from his taxes, like any other business cost or promotional cost, that amount up to $21,250 that he spends for his campaign.

A challenger who has his own funds would be permitted to do the same by subtracting from his income tax an equal amount if he spends it. A challenger who has not the funds but has the capability and the desire and the right to run for office would be permitted to go out and solicit public funds. Those who contribute to that particular candidate

would be able and allowed to deduct from their personal income taxes amounts up to $1,000 contributed to the limit allowed by law.

Right at this moment I know there is no climate for this. First of all, we have a group in this Congress that believes that the only essential required in a campaign in money. Character and all of the other attributes we have long held to be part of public office are no longer of consequence to many Members of this Congress.

I noted yesterday, and I will not put it in the RECORD, that the 26 top spenders in the Congress made a difference between setting a figure of $42,500 and a figure of $93,750.

I say to the Members that those who opting for high expenditures and high limits and saying that is the way to allow a challenger in are frauds because the only way to allow a challenger in is to make it possible for him to reach somewhere near the amount of money that a Congressman can reach with his ability to go out and shake the apple tree.

I am saying to the Members that until this or some future Congress recognizes the proposition in these terms and others, I am not wedded to figures; but I am wedded to the philosophy that we must make this particular job clean, aboveboard, or we are going to lose it—not as individuals; we are going to lose it as an institution. We are not going to be able to take many more of the situations that have occurred of recent date and still not yet ended.

I say to the Members of this Congress I will not be here when it is done, but I warn the Members that either they make it so that Members of Congress will have clean hands in an election because the job will pay enough to make it possible to campaign reasonably without going out with a cup in his hand for whatever kind of favors he has to pay for to be elected.

PARLIAMENTARY INQUIRY

Mr. HANRAHAN. Mr. Chairman, may I have an explanation as to why my amendment was out of order, because it pertains to eliminating cash contributions and that is under section 101(a).

The CHAIRMAN. If the committee will permit, the Chair will reread his statement on title I:

In title I: Germane amendments to subsection 101(a) proposing solely to change the money amounts contained in said subsection, providing they have been printed in the CONGRESSIONAL RECORD at least 1 calendar day before being offered;

That follows the general statement which says:

Under the rule, the bill is considered as having been read for amendment. No amendments, including any amendment in the nature of a substitute for the bill, are in order to the bill except the following:

The language that I read previously follows that language. Section 101(a) of the bill ends after line 10 on page 7, and the gentleman's amendment is to a later provision on page 11 which is not covered by the exception.

Mr. HANRAHAN. Mr. Chairman, but would the Chair agree that this is still under section 101(a) per se under title I?

The CHAIRMAN. No, it is to a different section, to 101(f).

Mr. HANRAHAN. I thank the Chair.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OBEY: Page 5, line 2, strike out "; or" and insert in lieu thereof "Except that in any state in which there is an overall spending limit (enacted after the close of December 31, 1970) lower than the $75,000 limit in this section, the spending limit imposed by state law shall apply, notwithstanding any other provision of the law; or".

Mr. ARMSTRONG. Mr. Chairman, I reserve a point of order against the amendment. I will withhold my point of order pending an explanation of the amendment by the gentleman.

The CHAIRMAN. The gentleman from Colorado reserves a point of order against the amendment.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I hope that when the gentleman has a chance to further review this amendment he will withdraw his reservation, for this reason. First of all, let me explain what the amendment is really trying to do. All this amendment says is that the $75,000 limitation imposed upon the House races in this bill will hold except in the case of those States which after December 30, 1970, have adopted spending limitations which are lower than the $75,000 per election placed in this bill.

The reason I think this ought to be ruled germane is this. The rule provides that only amendments which solely change the dollar amounts should be allowed, but let me point out that the only effect of this amendment, the sole effect of this amendment is merely to change the dollar amounts in this case in four States as of today—which are provided for under this bill.

Why do I think we ought to allow the States to set lower limits? Let me tell the Members about my State of Wisconsin.

Incidentally I am joined in this amendment by the gentleman from South Carolina (Mr. MANN), the gentleman from Kansas (Mr. SEBELIUS), the gentleman from Oregon (Mr. DELLENBACK), the gentleman from Oregon (Mr. WYATT), the gentleman fom Wisconsin (Mr. DAVIS), the gentleman from Minnesota (Mr. QUIE), the gentlewoman from Colorado (Mrs. SCHROEDER), the gentleman from Connecticut (Mr. MCKINNEY), the gentleman from Hawaii (Mr. MATSUNAGA), and the gentleman from California (Mr. ANDERSON).

The reason we have offered this amendment is simply this: The amount in the bill $187,000 may seem a reasonable amount to spend to get elected to Congress in some States, and I do not object to it for some States, but in the State of Wisconsin no candidate for the House of Representatives has ever spent over $80,000 in the history of the State. To us the idea that we can allow candidates to spend $75,000 in a primary and another $75,000 in the general elections plus the fund-raising exemption built into this bill is just outrageous. Our legislature has just adopted a bill which limits campaign spending to $35,000 in a primary and $50,000 in the general election.

I would like to support this bill, those of us who are from Wisconsin would, but it is very difficult for us to go home and tell our people that we support a reform bill which allows people to spend twice as much as our new State law allows.

I have indicated, I want to live by the total spending limit of State law but I want every candidate in my State to live within those same limitations. I suggest that in a State like Wisconsin, which is mostly a rural State, except for the city of Milwaukee, our whole political environment is much different from metropolitan areas of the country.

I recognize that Common Cause wants spending limits of $187,000. But most of their leaders are from urban areas and do not understand the political mores of rural America. People in my area simply do not understand why candidates should spend that much to get elected and neither do I.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I had a similar amendment that I offered in the committee. I hope no one will object to this one on the grounds it is against the rule. It is a good amendment.

I am curious about one thing. Why do you confine this to States that enact new campaign expenditure limitations since January 1, 1971; for example in my State in 1970 they enacted a limitation that is reasonable and below what we have in the bill.

Mr. OBEY. It was tough to determine the correct date. This one was selected because it is the date the last Federal campaign law passed which preempted some items. It was necessary because some States have 50-year-old laws.

Mr. CLEVELAND. But in my case, for example, New Hampshire, they would have to reenact their law to come within the provision of your amendment.

Mr. OBEY. As I understand it, this applies at present to Iowa, Oregon, Hawaii, and Wisconsin. In the future it would apply to those States which choose to set lower limitations.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Pennsylvania.

Mr. DENT. As I understand, it would preempt all the States except that those that now have a dollar limit lower than $75,000. Is there anything in the amendment that would allow States to pass legislation under the preemption as of now?

Mr. OBEY. Yes.

Mr. WYATT. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Oregon.

Mr. WYATT. I rise in support of this amendment and I commend the gentle-

man for offering it, because I think we at the local level should have some right to control our own destiny and where our standards are cleaner and better, I believe, than they are in this bill, I think our standards should prevail.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Colorado insist on his point of order?

Mr. ARMSTRONG. Yes, I do, Mr. Chairman. I would like to be heard briefly on the point of order.

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. ARMSTRONG. Mr. Chairman, as I am sure the Members will recall, I opposed the rule under which we are operating. I do press the point of order for two reasons. First of all, because I disagree with the substance of the amendment on its merits.

Second, I know of no better inequitable application of a rule. I know of no better way to preclude this kind of gag rule in the future than to meticuously refer to the language.

Mr. OBEY. Mr. Chairman, if the gentleman will yield, is the gentleman aware I voted with him on the rule yesterday?

Mr. ARMSTRONG. I appreciate the gentleman's explanation, but I must make a point of order against it. I think it clearly is out of order.

The CHAIRMAN. Will the gentleman specify the point of order?

Mr. ARMSTRONG. Yes, Mr. Chairman, under the language which appears on page 2 of the rule:

> No amendment, including any amendment in the nature of a substitute for the bill, shall be in order to the bill except the following:

Then there are listed a number of exceptions, none of which in my judgment applies to the amendment which is proposed.

The CHAIRMAN. Does the gentleman from Wisconsin desire to be heard on the point of order?

Mr. OBEY. Yes, Mr. Chairman. I suggest the amendment is in order, because while the language of the rule specifies that amendments are in order only if they change the dollar amounts, this amendment solely changes the dollar amounts. It is just that. It contains no formula, as the committee was worried about, it contains no special formula, it contains no special arrangement. The net effect is merely to change the dollar amounts allowed to be spent under the bill.

Mr. ARMSTRONG. Mr. Chairman, it is obvious that the rule does preclude this amendment, because it offers a new regulatory scheme and gives to the States certain discretion not contemplated by the original bill. The drafters of the bill went to considerable trouble to preempt the States, and this does not simply change the dollar amount.

The CHAIRMAN. The Chair is prepared to rule.

The Chair is familiar with the rule, and has also examined the amendment. He finds that the effect of the amendment is, in fact, only to limit the amounts. There is no additional discretionary authority affirmatively conferred on the States by the terms of the amendment.

Therefore, it is not subject to the point of order last discussed by the gentleman from Colorado.

Therefore, the Chair overrules the point of order.

Mr. HAYS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have discussed the amendment at some length with the gentleman from Wisconsin, and I am reluctant to oppose it, but I think if we are going to preempt State laws—and if there was any one thing that nearly every Member of this body asked us to do, that was to preempt State laws so that all candidates would know where they stood, and live under one set of regulations and have one set of laws to go by.

I can understand the gentleman's desire to get away from preemption on this particular thing, but I am sure that if a Member offered an amendment saying that if a certain State had a higher limit than $75,000, then we would have a number of people who would be against that because that would be saying that we could buy elections, and they would be right.

So, on the subject of preemption, it seems to me that it is a little bit like pregnancy—you either are or you are not; you cannot be part way. I just think that if we are going to preempt State laws—and I think it is vital that we do, so that we have some orderly kind of procedure—that we have one set of standards for all the States all the way through for Federal elections.

What is to prevent some State legislature hereafter which wants to be mischievous about it, coming in and saying that one cannot spend more than $10,000 or $5,000 or $2,000 in a congressional election? I think we have got to have one set of standards for all 50 States.

On that basis, I am constrained to oppose the amendment of the gentleman from Wisconsin. There is always the possibility that if a State has lower limits, that the candidates themselves can agree to abide by them. Certainly, if I were in a State that had lower limits, I would endeavor to get my opponent to abide by them. That can be a voluntary thing.

However, my feeling is that when we start to trifle with preemption, we open the door wider than what we have now, 51 different laws—on Federal and 50 different State laws. Therefore, that is why I oppose the amendment.

Mr. CLEVELAND. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am delighted with the Chairmans ruling; in fact, I am not only delighted with his ruling, I am pleasantly surprised by his ruling. I had a similar amendment which was printed in the RECORD. My amendment took a slightly different approach from the amendment offered by the gentleman from Wisconsin, but it was drafted to accomplish precisely the same result.

After reading the complicated rule, I took a copy of my amendment and gave it to the counsel for the minority, and who also gave it to the counsel for the majority, and I was advised that it would probably not be germane under the complicated rule.

They checked with the Parliamentarian, and my amendment did not meet his approval. So I am delighted that the amendment offered by the gentleman from Wisconsin has been ruled in order by the distinguished gentleman from Missouri (Mr. BOLLING). I commend him for his ruling and for his fairness.

Mr. Chairman, why do I rise in support of this amendment? Mr. Chairman, for those of us who sat through many of the almost endless hearings of the subcommittee and again the open markup sessions conducted by the gentleman from Ohio (Mr. HAYS) of the full Committee on House Administration, there is absolutely no question that it is the sheerest folly for the U.S. Congress to attempt to set a national standard for the amount that can be spent in a congressional district.

My own State, for example, New Hampshire, has a limit of $32,500 for the primary and again the same amount for the general election, a total of $65,000. This has never been exceeded, and there has never been any need to exceed it. I have had strong opposition and well-financed opposition.

I think it is unfair to place a Congressman from a State such as New Hampshire in a position of legislating at a level of $42,500 or $60,000 or $90,000 or more as a limit.

There is an answer to this problem, and the answer to this problem is to let lower limits be set by those States that want to have the lower limits.

The chairman of the committee (Mr. HAYS) has echoed the old refrain that someone in the State capital will get mischievous and pass a much lower limit, a ridiculous one. This could happen, but there is no evidence that it will happen.

I find it very strange that reform organizations such as Common Cause and the League of Women Voters turn their backs on this type of approach. They will not even listen to us when we make this kind of proposal. They applaud campaign reform efforts by California but they come to Washington and by insisting on total Federal preemption for congressional elections, prove themselves hypocrites. How many more mistakes must we make, before the lesson is learned, that the return of some power and decisionmaking to the States is an imperative; if we are to survive as a Nation.

I find it specially strange because they keep preaching to me the importance of home rule, which is near and dear to their heart, for the District and to save a community from something like a refinery.

Why cannot the people of New Hampshire set, if they want, a limit of $32,500? Why cannot the people of Wisconsin set a lower limit than that which we could create here in Washington?

The whole question about whether it is $90,000, $60,000, or $40,000 or what some people say should be no national

limit, that whole area of strife and argument reflects the impossibility of our legislating here in Washington one intelligent standard for all of the several States.

We have 50 separate States, and these 50 separate States have different requirements and different geographies. There are different types of elections which are permitted.

I submit that if we set different standards for expenditure, we may run into this problem of having amounts set such as $75,000, which is in the bill now, which some people tell me is not enough for the city, but I tell the Members that it is appalling for its size for a State like New Hampshire.

Therefore, Mr. Chairman, I rise in support of the gentleman's amendment. I thank the Chair for his ruling.

I urge that this gentleman's amendment pass.

Mr. FRENZEL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, after the surprising ruling which made this amendment, despite its language, in order, I have to support the chairman of the committee in stating that the amendment does not fit the spirit of the bill. It comes to us in the guise of a States' rights amendment, but it is a one-way street for the States.

A State, for instance, cannot raise the amount that a person can spend, that a candidate can spend.

When the committee sat down and worked out the preemption of State law, it was considering the most important single matter that the greatest number of Members of Congress brought to our attention.

They said: "For heaven's sake, get us out of this mess of 51 laws. Get us out of all these reports that sometimes conflict with one another. Please preempt State laws."

We did that. We responded to the requests of Members of Congress in this respect. We put in a preemption section and now comes an amendment which says, "We want to have our cake and eat it too."

In effect the amendment is saying this:

"We want you to preempt all the laws a certain way, but change it only one way to satisfy my State or my condition. Do not let my State put any extra reporting requirements on me, and do not let my State allow me to spend any more money, but let my State lower my spending allowance."

Mr. Chairman, we have not decided whether we want preemption, whether the Federal Government is in charge of Federal elections or whether the States are. If we want preemption of reports, we certainly ought to have the preemption of the whole election process.

There is nothing in this bill, I can assure the maker of this amendment, that forces him to spend one dime for election. He can spend as little as he wants or, under the terms of the bill, unless it is amended, up to $75,000.

The amendment, Mr. Chairman, should be defeated.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, I would like to associate myself with these remarks. I do so with some regret.

The fact is that implicit in this amendment is potential disaster. For instance, we may have a legislature controlled by one party, with a majority of its delegation in the House of Representatives belonging to the other party. There may be all sorts of possibilities.

The preemption provision, as the gentleman says, is probably the most desired section of this bill, as far as our colleague is concerned.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman for his contribution. I hope the amendment will be defeated.

Mr. BADILLO. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment, and I ask my colleagues from New York and from the urban centers not only to support this amendment but to work to see to it that the limitations are lowered in every State throughout the Union if the amendment is approved.

I know that many of my colleagues voted against lowering the amounts to be spent for House races because of the support of such a position by Common Cause and the League of Women Voters and other campaign reform groups. But the fact is that we must keep in mind that the way in which people begin to run for office generally is as political unknowns and even in the urban centers those who are unknown are not able to get the kind of money that is necessary to put up a decent campaign.

I remember in my own case 13 years ago when I began in politics, I was running against then Congressman Santangelo and I could not raise $2,000 to run. I can raise money now, but that is because I have become known since that time. I remember campaigning with my colleague who spoke yesterday, the gentleman from New York (Mr. KOCH), years ago in Chelsea, when he was running for the city council, and he could not in those days raise the funds which he can raise now.

Mr. Chairman, perhaps the most dramatic example of what I mean involves what is happening today and what happened in 1972 in the 14th Congressional District of Brooklyn, the seat that is now held by the gentleman from New York (Mr. ROONEY). When the gentleman from New York, Mr. Lowenstein, ran against the gentleman from New York (Mr. ROONEY) 2 years ago, he was able to raise $306,000, which was more than any other Congressman or congressional candidate in the country was able to raise. Maybe the people from Common Cause and the League of Women Voters have the example of Mr. Lowenstein in mind.

But the example I have in mind is what is happening today in that same district, where Cesar Perales is running and he cannot raise $4,000 to run for that office, and that is a district where the district court has said that a Puerto Rican should be running for office.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I would be glad to yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I am listening to the gentleman's every word with great interest, because I just wish the gentleman had been around making this speech when Common Cause was assailing me and beating me over the head and when the editors of the New York Times, the Washington Post, and the Cleveland Plain Dealer were assailing me because I wanted lower limits. They said all I wanted to do was to freeze out everybody from running and protect the incumbent.

I was making the same argument then that the gentleman is making now, but it was a damned lonely post I was on, because nobody was saying anything to the contrary then.

I oppose it now on the preemption item alone, but I would say the gentleman had the chance yesterday. I had to defend the bill which came out of the committee. The gentleman had a chance to lower the amount.

All I am saying to the gentleman is if you are going to lower it, it should be done nationally and not piecemeal.

Mr. BADILLO. I will say to the gentleman from Ohio that I was around before, and I will be around any time that the gentleman wants me to testify before Common Cause or any other group, because we have to speak about the realities of what goes on, and on how people begin to get into political office. And this is especially true in the urban centers, which are now beginning to be centers of poverty. Those who are in a position to represent the people should get a chance to represent them, and they can only do so if the spending limits are lowered so that they can compete against incumbents and against strong political organizations.

Mr. ANNUNZIO. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from Illinois.

Mr. ANNUNZIO. Mr. Chairman, I appreciate the gentleman yielding.

I would ask the gentleman if the gentleman is aware that the Senate bill has a $90,000 limitation in it, and the House bill lowered the limitation from $90,000 to $75,000?

There was a time in the committee when we were discussing and considering a $60,000 limitation, and many members of the committee were unhappy, as I pointed out yesterday, it was our feeling that we reached a reasonable figure, and the committee feels that the $75,000 limitation is a reasonable figure.

Mr. BADILLO. I am aware and grateful that the figure has been lowered in the House bill to $75,000. I would just like to see it lowered further. I think if we can get some States to lower it, it should be done in order that people who want to get a chance to begin as unknowns in politics may be able to do so.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I think the position taken by the gentleman from New York (Mr. BADILLO) is a logical one, and I think it is in the interest of bringing more people into the body politic. I believe that the argument the gentleman has presented makes eminently good sense, and I will support the amendment.

Mr. DELLENBACK. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I listened with great interest to all of the arguments which have been made on both sides of this question, and most particularly the point made by the chairman of the subcommittee, the gentleman from Ohio (Mr. HAYS) and my distinguished colleague and good friend, the gentleman from Minnesota (Mr. FRENZEL) who talked in terms of preemption.

I think by and large there should be preemption in this Federal legislation, and the bulk of what it is that is involved in this particular area of campaign spending. I think there is nothing, however, inconsistent between saying to the Members that the bulk of the features of the bill should be standard throughout the United States, and we should preempt on those features, we set an overall limit for spending, and at the same time saying that if a given State, knowing its situation to be unique and different from other parts of the United States, feels that an additional restriction and total spending limitation should be placed on this kind of spending, that that individual State should be free to do this. That is essentially what this amendment does

A very low limitation could treat unfairly a State in the east where the dollars that would be necessary to get a fair presentation of an issue or of a candidate would be higher than it would be in a State like mine, in Oregon.

I do not seek to move against a total spending limitation, but I think we have got to be realistic.

When we talk in terms of $75,000 as a limitation in this bill, in effect it is a $150,000 limitation on an election contest, particularly where the time between the primary and the general election is very short.

In a State like Oregon, our State legislature has said they think that is too high a figure to be permissible for this kind of spending.

All we are asking for is a declaration by the Congress today, that in a State like Oregon or Hawaii, or Iowa or Wisconsin, or Maine, and perhaps other States in the future, where there is a feeling by the local decisionmakers and State legislators, that the figure should be lower, that that should be a permissible action within that particular State.

We are not seeking to lower the figure for any other State which feels that a higher figure is necessary, but in the interest of local decisionmaking we urge that this amendment be adopted, and that States which feel there should be a lower limitation have the right to set that lower limitation.

Mr. SEBELIUS. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. I yield to the gentleman from Kansas.

Mr. SEBELIUS. I thank the gentleman for yielding.

Mr. Chairman, I should like to associate myself with the gentleman's remarks. I know that every State is different. We have different attitudes toward money and spending. In the State of Kansas for one contested primary and three general elections I still have not spent the limit such as in the bill. I think the State of Kansas, like the State of Oregon, should be entitled to preempt the amount of money because our rural situation is far different than that of the larger cities.

Mr. DELLENBACK. I thank the gentleman.

Mr. BIAGGI. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. I yield to the gentleman from New York.

Mr. BIAGGI. I thank the gentleman for yielding.

I rise in support of the amendment and congratulate the gentleman on his comments, and also my colleague, the gentleman from New York, but especially the lonely voice that articulated these very sentiments by the chairman of the committee today.

I voted for the reduction in the amendment yesterday except for the preemption aspect of it. The amendment is an excellent one. I do not think the Federal Government, nor the Congress, relinquishes any prerogatives by passing this amendment.

The sum total of the bill as it now exists is to preclude those from the less affluent areas in our economy, and it makes elective office once again the plaything of the wealthy.

Mr. Chairman, this amendment would permit a State to set a spending figure at a more realistic level, one which could increase the opportunities for all Americans regardless of economic situation to seek public office.

While it is true that only five States have imposed lower spending limits since 1971, this amendment would encourage more States to join these five thus again restricting the ability of a candidate to buy his way into public office.

One of the major issues to face us in deliberations over this bill is the question of public financing. The matter has been raised because of the high costs of campaigns. I strongly oppose using tax dollars for financing of campaigns. No American should be forced to see his tax dollars go to support candidates he does not favor. A voluntary system of contributions may be acceptable, but the best method of giving every American the opportunity to run for office is to limit the amounts spent to get elected to that office—not to provide tax funds to permit him to spend, spend, spend.

There is a great need for reform in our present system of financing political campaigns. In recent years we have seen candidates for public office spend unprecedented amounts of money, through legal and illegal methods, amassing huge war chests with which to destroy the hopes of their poorer opponents.

As an individual who was born and raised in poverty, I have always considered it one of my greatest personal honors to have had the opportunity to run and be elected to the House of Representatives. Yet under today's discriminatory campaign financing practices, it would be virtually impossible for a person from poor or limited means to run for public office without incurring irrevocable financial disaster. This was not the way that our democracy was established.

Every person regardless of race, color, or economic condition has the right to the pursuit of happiness. For many, running and serving the public as an elected official represents this epitome of happiness. Let us take this opportunity to reaffirm this fundamental principle, let us again show to the American people that events such as Watergate cannot and will not happen in the future. It is in this hope that I offer my support to this amendment.

Mr. DELLENBACK. Mr. Chairman, I yield back the balance of my time.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I shall be brief. I want to reemphasize what I consider to be of the utmost importance, the retention of preemption in its entirety. The possibilities are virtually infinite were this amendment to be adopted in that States' laws would vary tremendously. There would be a continual, uncomfortable and unnecessary duplication of reports to State Governments and to the Federal Government, which are already confusing enough under existing law. Our efforts have been designed to set a reasonable figure. We have agreed upon that reasonable figure, which to some is too high and others too low. It is, nevertheless, reasonable and should be uniform throughout the States.

I simply fail to understand, with all due respect to them, the logic of my friends who urge that those from urban areas support this legislation. It is as difficult in a rural area involving many, many counties for a person to become known as it is in a highly urban area.

I happen to live in the most urban State in the Union. I suspect that with the size of my district it is easier to identify than it is for a Member from the Southwest, for instance, with 56 or 60 counties in which to be known.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman for yielding.

I would like to support the committee in its position, and I do so with reluctance because I have the highest regard for the sponsors of this amendment.

I do not think it is possible to reconcile any kind of reasonable limitation on compaign spending with the capability for spending of poor candidates. We are simply not talking in terms of opportu-

nities here; we are talking in terms of ceilings. As I said yesterday, I think the ceiling has to be a national one, taking into account the variations in districts. Moreover, it seems to me simply inappropriate for States to legislate with regard to an election to a Federal office such as the Congress.

I thank the gentleman.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Ohio.

Mr. HAYS. I thank the gentleman for yielding.

Mr. Chairman, I would like to see whether we can get some reasonable unanimous-consent agreement about debate on this amendment. Many Members have spoken to me about having reservations and needing to leave at a reasonable hour this afternoon. While I do not want to preclude anybody from speaking or conducting a lot of debate, I was wondering if 10 minutes from now would be a reasonable time to conclude debate on this.

If nobody feels strongly, I would ask unanimous consent that all debate on this amendment cease at 1:30.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Chair recognizes the gentleman from California (Mr. ANDERSON).

Mr. ANDERSON of California. Mr. Chairman, I rise in support of this amendment which would permit a State to impose lower spending limits than those proposed in the bill.

Under the bill, no candidate for Congress can spend more than $60,000 toward that election, and no candidate for the Senate can spend more than 5 cents per person or $75,000 which ever is greater.

Of course, in some States this limitation is adequate. But, in others, that limitation is too high, and the State legislators have acted to impose lower spending ceilings.

For example, five States—Hawaii, Iowa, Oregon, Wisconsin, and Maine—have campaign expenditure limitations which are lower than those proposed in this bill, and I do not believe that the Federal law should preempt the State law which is more restrictive, and better suited to the situation in that particular State.

I think it is particularly unfair to require Members of Congress from those five States to vote either against their State law or against this bill.

I support this amendment, and urge my colleagues to join me in allowing a State to establish more restrictive standards than those proposed by the Federal Government.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. BROWN).

Mr. BROWN of California. Mr. Chairman, I merely wanted to say a word about the concept of preemption. I think Federal preemption of State law have some merit in certain kinds of legislation, but not in this particular situation. We are dealing with the establishment of minimum standards of campaign practices in the conduct of Federal elections, and from that standpoint I think it is perfectly proper to allow the States, if they desire to do so, to go further than the Federal law in achieving the most desireable campaign practices. I can give positive examples of this. In my State candidates in some circumstances, are permitted to enclose biographical and related information with the sample ballot mailed at public expense to every registered voter. We would not want Federal legislation to proclude this, even though its practical effect is to provide the equivalent of several thousand dollars in free postage to the candidates. Nor would we wish to proclude State laws requiring that public agencies which own and operate television or radio stations offer free time to candidates. If State law provides methods for achieving an informed electorate without the need for massive private campaign expenditures, it should be encouraged, not prohibited. If the States wish to finance from public funds, all, or part, of campaign costs, it should be permitted, not prohibited. Our purpose should not be the preemption of State laws that improve campaign practices, but instead to provide a solid foundation on which the States can build. For this reason I support the Obey amendment, and urge its adoption.

(By unanimous consent, Messrs. STUDDS and BOLAND yielded their time to Mr. GIAIMO).

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Chairman, I rise neither in support nor in opposition to the amendment, but I am terribly concerned about it and I would like to ask some questions of the gentleman from Wisconsin, one of the principle authors.

I have no objection to having a State reduce the amount, but I come from a State, Connecticut, where we have had a difficult time because our State laws for years have disagreed with the Federal laws. One of the key things I like about this bill is that it preempts State law. Yet here I begin to see the first incursion or violation of that concept in the doctrine of preemption and it bothers me because unless we can all be treated alike and fairly under a uniform Federal code I can see where we are going to be right back where we have been for years, where one State was totally different from another, leading to chaos.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me assure the gentleman if this bill is passed the States will be preempted on absolutely everything except overall spending limits.

Mr. GIAIMO. But it is the exception.

Mr. OBEY. Let me point out to the gentleman right now there is very little preemption. This bill if it is passed with my amendment will greatly broaden the preemption which exists right now. I am in the same situation the gentleman is in with regard to my several unrealistic requirements of State law. One section of my State law contains filing requirements so complicated the gentleman would not believe them.

It makes the bill we passed here 2 years ago look simple by comparison. Let me assure the gentleman that the only item for which an exception is made to preemption is the item of total overall spending limits. In that respect States are limited only to actions which they may take to lower the total spending amounts. That is the only exception.

Mr. GIAIMO. This an exception to the reduction in amount. I would like to make it clear and hope it is the intention here that we are not going to encourage the States to make other exceptions.

Mr. OBEY. I could not agree more with the gentleman.

The CHAIRMAN. The Chairman recognizes the gentleman from Washington (Mr. MCCORMACK).

Mr. MCCORMACK. Mr. Chairman, I rise to oppose the amendment. I think one of the most important facets of this bill is the preemption section. I do not think we should be tampering with it, and taking a chance with future court decisions which may go against us if we amend it as is proposed. While preempting State law, we are now asked to resubject ourselves to the possibility of unnecessary State reporting regulations, which is one of the things we are trying to correct. I think the goal of this amendment can be achieved voluntarily by any candidate.

I think this is an invitation to malicious mischief that may occur in some State legislatures. We have seen this happen before, and I don't think we want to take a chance on having such things happen again.

I suggest that we defeat the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, I, too, am opposed to the amendment on the ground that preemption is essential. We are all national legislators. We get the same salary. We have the same number of people on our staff. We have the same duties and obligations and the legislation we are passing today should apply equally to everyone. To do otherwise will put this legislation and the fight for reform back into the hands of 50 different State legislatures. I urge defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. KASTENMEIER).

Mr. KASTENMEIER. Mr. Chairman, this measure becomes an anti-reform bill for those who are affected, such as those of us from Wisconsin. What it does, in effect, is to raise the spending limitations set at $85,000 in Wisconsin to $187,500, including fundraising. This, therefore, becomes antireform.

If we talk to the man in the street and we ask him, "Do you think in Wisconsin or elsewhere in this country, do you think that candidates for Congress ought to be spending more in elections for that office?" The answer will be a resounding

"No!" I ask a yes vote on this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, let me make one point in closing. The only item this amendment touches is the dollar limit. The gentleman from Washington said this would open us up to different reporting requirements in different States. That is absolutely not true.

The only thing which this deals with is total spending amounts. All it does is allow States to lower the total spending amount. That is all it does.

I agree with the gentleman from Wisconsin. I will debate Common Cause in any city in my district about whether the public wants more spending or less spending in congressional campaigns. This will help us spend less in those States that chose to spend less. I urge its adoption.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment. It seems to me that it is an invitation to a crazy quilt of State laws. One can see very quickly how under this amendment, spending limits could change from one year to another year in 50 different States, depending upon the changes of political composition of the State legislatures. If one were to be fair, one would have to say, why not allow a State to assign a higher limit than the spending limit in Federal law?

But the gentleman's amendment does not do this. It runs in only one direction.

This is the opening wedge against preemption, and I hope the amendment is rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, I think we should be aware that the Senate bill does not have a preemption section. If we are to go with this opening wedge in preemption, where then can we compromise with the Senate? Do we then compromise by giving the States the right to control reporting again?

That is why we put in preemption. Do not push us out of that position. Vote down this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. Mr. Chairman, I rise in opposition to the amendment. I do not believe that at this time we should open the door.

I also want to try to correct an erroneous impression. I hear $187,000; I hear $250,000. All this bill provides is $75,000 limitation in a primary. If the candidate does not spend the $75,000 and he carries it over to the general election, all he can spend in the general election is $75,000.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. HAYS) to close debate on this amendment.

Mr. HAYS. Mr. Chairman, all I want to say is that this debate has been very revealing. If Common Cause has anybody in the gallery, I think they ought to know how far their argument got that I was trying to break off by a low limit of $60,000, which is what I started with, any opposition to anyone who is already an incumbent.

Someone, someplace, has not been listening to Common Cause.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 169, noes 250, not voting 15, as follows:

[Roll No. 462]

AYES—169

Abdnor	Goodling	Rangel
Abzug	Grasso	Reuss
Anderson, Calif.	Green, Oreg.	Roberts
Andrews, N.C.	Griffiths	Rogers
Andrews, N. Dak.	Gross	Roncalio, Wyo.
Ashbrook	Haley	Rose
Ashley	Hamilton	Roush
Aspin	Hanley	Rousselot
Badillo	Hanna	Runnels
Bafalis	Hanrahan	Ruth
Baker	Harsha	Sarasin
Bauman	Hébert	Sarbanes
Bennett	Hechler, W. Va.	Satterfield
Biaggi	Henderson	Scherle
Biester	Hogan	Schneebeli
Bowen	Holt	Schroeder
Bray	Hosmer	Sebelius
Breaux	Huber	Shoup
Breckinridge	Hungate	Shuster
Brown, Calif.	Ichord	Skubitz
Brown, Mich.	Jones, N.C.	Smith, N.Y.
Buchanan	Jones, Okla.	Snyder
Burgener	Kastenmeier	Spence
Burke, Fla.	Lagomarsino	Stark
Burleson, Tex.	Landgrebe	Steed
Burlison, Mo.	Leggett	Steele
Byron	Lott	Steiger, Wis.
Carter	Lujan	Stubblefield
Clancy	Luken	Stuckey
Clark	McKay	Symington
Cleveland	McKinney	Symms
Cochran	Mallary	Talcott
Cohen	Mann	Taylor, Mo.
Conyers	Martin, Nebr.	Taylor, N.C.
Crane	Mathis, Ga.	Thomson, Wis.
Daniel, Dan	Matsunaga	Thone
Davis, S.C.	Mazzoli	Towell, Nev.
Davis, Wis.	Meeds	Traxler
Dellenback	Melcher	Treen
Dent	Miller	Ullman
Derwinski	Mink	Van Deerlin
Devine	Mitchell, Md.	Vigorito
Downing	Mollohan	Waggonner
Duncan	Montgomery	Waldie
Edwards, Calif.	Moorhead, Calif.	Ware
Esch	Moorhead, Pa.	Whitten
Eshleman	Morgan	Wilson, Bob
Fish	Murtha	Wilson, Charles, Tex.
Fisher	Natcher	Wright
Flowers	Obey	Wyatt
Flynt	O'Brien	Wydler
Foley	O'Hara	Yatron
Fountain	Patman	Young, Fla.
Fraser	Poage	Young, Ga.
Gaydos	Powell, Ohio	Zablocki
Ginn	Preyer	Zion
	Randall	

NOES—250

Adams	Bingham	Burke, Calif.
Addabbo	Blackburn	Burke, Mass.
Alexander	Boggs	Burton, John
Anderson, Ill.	Boland	Burton, Phillip
Annunzio	Bolling	Butler
Archer	Brademas	Camp
Arends	Brinkley	Carney, Ohio
Armstrong	Brooks	Casey, Tex.
Barrett	Broomfield	Cederberg
Beard	Brotzman	Chamberlain
Bell	Brown, Ohio	Chappell
Bergland	Broyhill, N.C.	Clausen, Don H.
Bevill	Broyhill, Va.	Clawson, Del
Blatnik	Buchanan	Clay
Bolton	Burgener	Collier
Brasco	Carey, N.Y.	Collins, Ill.
Breaux	Chisholm	Collins, Tex.
Brinkley	Davis, Ga.	Conable
Brooks	de la Garza	Conlan
Broomfield	Delaney	Conte
Brotzman	Dellums	Corman
Brown, Ohio	Denholm	Cotter
Broyhill, N.C.	Dennis	Coughlin
Broyhill, Va.	Dickinson	Cronin
Buchanan	Diggs	Culver
Burgener	Dingell	Daniel, Robert W., Jr.
Carey, N.Y.	Donohue	Daniels, Dominick V.
Chisholm	Dorn	Danielson
Davis, Ga.	Drinan	de la Garza
de la Garza	Dulski	Delaney
Delaney	du Pont	Dellums
Dellums	Eckhardt	Denholm
Denholm	Edwards, Ala.	Dennis
Dennis	Eilberg	Dickinson
Dickinson	Erlenborn	Diggs
Diggs	Evans, Colo.	Dingell
Dingell	Evins, Tenn.	Donohue
Donohue	Fascell	Dorn
Dorn	Findley	Drinan
Drinan	Flood	Dulski
Dulski	Ford	du Pont
du Pont	Forsythe	Eckhardt
Eckhardt	Frelinghuysen	Edwards, Ala.
Edwards, Ala.	Frenzel	Eilberg
Eilberg	Frey	Erlenborn
Erlenborn	Froehlich	Evans, Colo.
Evans, Colo.	Fulton	Evins, Tenn.
Evins, Tenn.	Fuqua	Fascell
Fascell	Gettys	Findley
Findley	Giaimo	Flood
Flood	Gibbons	Ford
Ford	Gilman	Forsythe
Forsythe	Goldwater	Frelinghuysen
Frelinghuysen	Gonzalez	Frenzel
Frenzel	Green, Pa.	Frey
Frey	Grover	Froehlich
Froehlich	Gubser	Fulton
Fulton	Gude	Fuqua
Fuqua	Gunter	Gettys
Gettys	Guyer	Giaimo
Giaimo	Hammer-schmidt	Gibbons
Gibbons	Harrington	Gilman
Gilman	Hastings	Goldwater
Goldwater	Hawkins	Gonzalez
Gonzalez	Hays	Green, Pa.
Green, Pa.	Heckler, Mass.	Grover
Grover	Heinz	Gubser
Gubser	Helstoski	Gude
Gude	Hicks	Gunter
Gunter	Hillis	Guyer
Guyer	Hinshaw	Hammer-schmidt
Hammer-schmidt	Holtzman	Harrington
Harrington	Horton	Hastings
Hastings	Howard	Hawkins
Hawkins	Hudnut	Hays
Hays	Hunt	Heckler, Mass.
Heckler, Mass.	Hutchinson	Heinz
Heinz	Jarman	Helstoski
Helstoski	Johnson, Calif.	Hicks
Hicks	Johnson, Colo.	Hillis
Hillis	Johnson, Pa.	Hinshaw
Hinshaw	Jones, Ala.	Holtzman
Holtzman	Jones, Tenn.	Horton
Horton	Jordan	Howard
Howard	Karth	Hudnut
Hudnut	Kazen	Hunt
Hunt	Kemp	Hutchinson
Hutchinson	Ketchum	Jarman
Jarman	King	Johnson, Calif.
Johnson, Calif.	Kluczynski	Johnson, Colo.
Johnson, Colo.	Koch	Johnson, Pa.
Johnson, Pa.	Kuykendall	Jones, Ala.
Jones, Ala.	Kyros	Jones, Tenn.
Jones, Tenn.	Latta	Jordan
Jordan	Lehman	Karth
Karth	Lent	Kazen
Kazen	Litton	Kemp
Kemp	Long, La.	Ketchum
Ketchum	Long, Md.	King
King	McClory	Kluczynski
Kluczynski	McCloskey	Koch
Koch	McCollister	Kuykendall
Kuykendall	McCormack	Kyros
Kyros	McDade	Latta
Latta	McEwen	Lehman
Lehman	McFall	Lent
Lent	Macdonald	Litton
Litton	Madden	Long, La.
Long, La.	Madigan	Long, Md.
Long, Md.	Mahon	McClory
McClory	Maraziti	McCloskey
McCloskey	Martin, N.C.	McCollister
McCollister	Mathias, Calif.	McCormack
McCormack	Mayne	McDade
McDade	Metcalfe	McEwen
McEwen	Mezvinsky	McFall
McFall	Michel	Macdonald
Macdonald	Milford	Madden
Madden	Mills	Madigan
Madigan	Minish	Mahon
Mahon	Minshall, Ohio	Maraziti
Maraziti	Mitchell, N.Y.	Martin, N.C.
Martin, N.C.	Mizell	Mathias, Calif.
Mathias, Calif.	Moakley	Mayne
Mayne	Mosher	Metcalfe
Metcalfe	Moss	Mezvinsky
Mezvinsky	Murphy, Ill.	Michel
Michel	Murphy, N.Y.	Milford
Milford	Myers	Mills
Mills	Nedzi	Minish
Minish	Nelsen	Minshall, Ohio
Minshall, Ohio	Nichols	Mitchell, N.Y.
Mitchell, N.Y.	Nix	Mizell
Mizell	O'Neill	Moakley
Moakley	Owens	Mosher
Mosher	Parris	Moss
Moss	Passman	Murphy, Ill.
Murphy, Ill.	Patten	Murphy, N.Y.
Murphy, N.Y.	Pepper	Myers
Myers	Perkins	Nedzi
Nedzi	Pettis	Nelsen
Nelsen	Peyser	Nichols
Nichols	Pickle	Nix
Nix	Pike	O'Neill
O'Neill	Podell	Owens
Owens	Price, Ill.	Parris
Parris	Price, Tex.	Passman
Passman	Pritchard	Patten
Patten	Quie	Pepper
Pepper	Quillen	Perkins
Perkins	Railsback	Pettis
Pettis	Rees	Peyser
Peyser	Regula	Pickle
Pickle	Reid	Pike
Pike	Rhodes	Podell
Podell	Riegle	Price, Ill.
Price, Ill.	Rinaldo	Price, Tex.
Price, Tex.	Robinson, Va.	Pritchard
Pritchard	Robison, N.Y.	Quie
Quie	Rodino	Quillen
Quillen	Roe	Railsback
Railsback	Roncallo, N.Y.	Rees
Rees	Rooney, Pa.	Regula
Regula	Rosenthal	Reid
Reid	Rostenkowski	Rhodes
Rhodes	Roy	Riegle
Riegle	Roybal	Rinaldo
Rinaldo	Ruppe	Robinson, Va.
Robinson, Va.	Ryan	Robison, N.Y.
Robison, N.Y.	St Germain	Rodino
Rodino	Sandman	Roe
Roe	Seiberling	Roncallo, N.Y.
Roncallo, N.Y.	Shipley	Rooney, Pa.
Rooney, Pa.	Shriver	Rosenthal
Rosenthal	Sikes	Rostenkowski
Rostenkowski	Sisk	Roy
Roy	Slack	Roybal
Roybal	Smith, Iowa	Ruppe
Ruppe	Staggers	Ryan
Ryan	Stanton, J. William	St Germain
St Germain	Stanton, James V.	Sandman
Sandman	Steelman	Seiberling
Seiberling	Steiger, Ariz.	Shipley
Shipley	Stephens	Shriver
Shriver	Stokes	Sikes
Sikes	Stratton	Sisk
Sisk	Studds	Slack
Slack	Sullivan	Smith, Iowa
Smith, Iowa	Thompson, N.J.	Staggers
Staggers	Thornton	Stanton, J. William
Stanton, J. William	Tiernan	Stanton, James V.
Stanton, James V.	Udall	Steelman
Steelman	Vander Jagt	Steiger, Ariz.
Steiger, Ariz.	Vander Veen	Stephens
Stephens	Vanik	Stokes
Stokes	Veysey	Stratton
Stratton	Walsh	Studds
Studds	Wampler	Sullivan
Sullivan	Whalen	Thompson, N.J.
Thompson, N.J.	White	Thornton
Thornton	Whitehurst	Tiernan
Tiernan	Widnall	Udall
Udall	Wiggins	Vander Jagt
Vander Jagt	Wilson, Charles H., Calif.	Vander Veen
Vander Veen	Winn	Vanik
Vanik	Wolff	Veysey
Veysey	Wylie	Walsh
Walsh	Wyman	Wampler
Wampler	Yates	Whalen
Whalen	Young, Alaska	White
White	Young, Ill.	Whitehurst
Whitehurst	Young, S.C.	Widnall
Widnall	Young, Tex.	Wiggins
Wiggins	Zwach	Wilson, Charles H., Calif.
Wilson, Charles H., Calif.		Winn
Winn		Wolff
Wolff		Wylie
Wylie		Wyman
Wyman		Yates
Yates		Young, Alaska
Young, Alaska		Young, Ill.
Young, Ill.		Young, S.C.
Young, S.C.		Young, Tex.
Young, Tex.		Zwach
Zwach		

NOT VOTING—15

Blatnik	Gray	McSpadden
Brasco	Hansen, Idaho	Rarick
Carey, N.Y.	Hansen, Wash.	Rooney, N.Y.
Chisholm	Holifield	Teague
Davis, Ga.	Landrum	Williams

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further eligible amendments to title I?

Mr. BROYHILL of Virginia. Mr. Chairman, I move to strike the last word, and I rise in support of the legislation.

Mr. Chairman, because of my deep concern over the obvious need for corrective legislation with regard to our Federal election laws, I introduced what I consider to be a strong bill to amend the Federal Election Campaign Act of 1971. I am pleased that the House Administration Committee, during their deliberations and drafting of the bill before us today, H.R. 16090, included some of the same

provisions contained in the legislation I introduced on this subject. I intend, Mr. Chairman, to support this committee bill.

However, in reviewing H.R. 16090, I notice several omissions which I believe are absolutely essential to strong reform in this area. First, I find no mention that organizations with tax exempt status, such as Common Cause and many others, be denied this status if political candidates are endorsed or opposed, publicly or with open or covert campaign contributions. Second, I find no provision which will make mandatory the audit of income tax returns each year for all federally elected officials. I have held strong views on these two points, and thus I have offered these specific proposals as amendments to the tax reform package before the Ways and Means Committee and they have been accepted.

Further, I am unalterably opposed to the provisions in H.R. 16090 for financing political campaigns with public money. It is the old story of trying to cure everything with public funds when the track record is long and obvious that we cure nothing by rushing to the public till at every crisis. The cure for "Fat-cat" contributions, as they are called, is not by discouraging more contributors to political campaigns, but inviting more in, by giving them an incentive to participate.

The legislation I offered does so, and in doing so, eliminates the vacuum in the process that is always willingly filled by business, labor, or organizations which have no mandate from their members to pick and choose political candidates endorsed by their leadership. To that end the legislation I proposed would limit individual campaign contributions in Federal elections to $1,000 to any individual candidate for Federal public office. However, a political action committee would be allowed to make a contribution to a specified candidate not in excess of $6,000. I sought to encourage individuals to contribute to specified candidates by allowing for an increase in deductions for political contributions from gross income from $50 to $100 on individual Federal income tax returns and from $100 to $200 on joint returns. I also foresaw the need for a firm formula of realistic expenditures, based on the voting population in a State or political district. The formula would cover both primary and general elections and if it proves inadequate after a thorough test, it can be altered.

I was encouraged to note that the provisions in my bill which retain the establishment of a seven-member Federal Election Commission to receive reports, oversee and fully investigate violations of Federal elections was also contained in H.R. 16090. I was pleased to note the committee agreed with my proposal that the Commission was not set up as a separate prosecutor to try offenders but instead the Commission is directed to present its case to the Justice Department for trial and in doing so, should the Justice Department fail to try the case, the reason for not trying violators must be reported and can be made public by the Commission.

While limiting big contributions, H.R. 16090 does not curb big labor contributions. This is accomplished in my bill by curbing the practice of contributions in kind. Mass mailings and phone banks set up by political action committees must be reported as are any other contributions and cannot exceed $1,000 to any individual candidate for Federal public office. This in no way prohibits the individual member of a labor group from making his or her individual effort or contribution to a specific candidate of his or her choice.

There are those, Mr. Chairman, who have accused us of walking away from Federal Election Campaign Reform. I submit that these allegations are the usual campaign rousting directed at seated Members, heightened by recent disclosures of abuses. Far from walking away from the issue, Mr. Chairman, I introduced an extensive campaign reform measure several months ago and I have followed the legislation introduced in the Senate and House. While I quarrel with some aspects of both measures, and do not agree with the modified closed rule limiting amendments which could strengthen this bill, I fully support what I believe is a giant step in restoring the confidence of our people in the campaign process.

I am proud that I have been at the forefront of the effort and I shall continue, Mr. Chairman, to pay particular attention to the workability of any legislation in this area which becomes law, and shall continue from time to time to make suggestions to improve the controls required, if the need arises.

Mr. ARMSTRONG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this bill has been brought to us under the theory that "if we keep them panting long enough, for reform, they will take anything that is called reform." But this is not a reform bill.

In the very first instance, it comes to us under a gag rule, under a rule that is a throwback to the worst traditions of the House, a rule that does not permit consideration of needed amendments, a rule which does not permit the Members of this body to really legislate but only to decide within a very narrow range among choices of predigested amendments, a rule which I feel deeply is violative of the basic rights of the Members of this House and of our constituents.

But, more important than the rule, is the substance of the bill itself. And this bill does not fulfill the longing of the American people for reform. Under the guise of reform this bill reintroduces into law antifree-speech provisions, provisions which give candidates for public office veto power over other persons' rights of free speech and publication, a matter which was discussed at some length in yesterday's RECORD at pages 27213 and 27229.

Moreover, the provisions of this bill, particularly those on page 6, are vague and are going to be subject to endless litigation.

Further, this bill introduces new loopholes. It is not enough that it fails to come to grips with existing loopholes in the law; this bill creates new loopholes.

This bill ignores serious abuses which have been discovered during the Watergate investigation. It does not do anything about the Watergate type of abuses, espionage and so-called dirty tricks.

Mr. Chairman, this bill purports to cut back on contributions, but it only limits and calls for the reporting of one kind of contribution, dollar contribution. The often more important, usually decisive, contributions in kind—the donation of storefronts, of goods and services, of personnel coming in from out of State, are not curtailed in this bill.

This legislation introduces public financing of nominating conventions, a procedure which is no reform but is nothing more nor less than a raid on the public treasury.

Finally, we all know—and I think most of us know in our hearts—this is a sweetheart incumbent bill. This is a bill which is going to make it harder than ever to defeat an incumbent of either party. It sets the kind of limits that makes it almost impossible for an unknown to become known and thereby heightens existing advantages which incumbents enjoy.

In view of the overall poor record of the Congress of the United States, it seems to me the last thing we need to do is to give further advantages to the incumbent Members of Congress. Let us defeat this bill and get on to some true reform which is so badly needed.

Mr. TREEN. Mr. Chairman, will the gentleman yield?

Mr. ARMSTRONG. I shall be pleased to yield to the gentleman from Louisiana.

Mr. TREEN. I thank the gentleman for yielding.

Mr. Chairman, I want to commend the gentleman in the well and associate myself with his remarks, particularly his position that this bill, with the $75,000 spending limit, is an incumbent-protection bill. There has been a lot of talk on the floor today, and there was yesterday, about a Member's record and that one can win or lose on his record; but I know that in districts in Louisiana and elsewhere in this country, if one is going to defeat an incumbent, he has got to expose the incumbent's record.

That means we have got to go to massive newspaper, radio, and television coverage to talk about that record. He cannot do that on the spending limits we have in this bill. So I join with the gentleman. I am going to vote against this bill, not because I do not think we need reform—we certainly do—but this bill with its $75,000 limit is definitely a bill that is going to protect the incumbents, and I think that is wrong.

Mr. ARMSTRONG. I thank the gentleman for his contribution.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there are two things we can do about a speech like we just heard, which is about 90 percent baloney. We can ignore it or we can set the RECORD straight. I do not want to take too much of the time of the committee but I think it might be well to set the RECORD straight, and if the gentleman wants to vote against this and go home and try to tell his constituents that he

voted against it because it is not reform and he can sell that bill of goods, that is all right, but I do not think he can. From the reports I get from his district, I think he is going to be lucky if he can sell them anything. However, that is neither here nor there.

The gentlemen on the other side are a little bit sensitive over there. I do not know if it is the events of the last 3 or 4 days which make those Members that way or what is wrong, but I can tell the Members this.

The gentleman made a big harangue—and the Members on the other side are asking for it so I am going to give it to them. The gentleman made a big harangue about this bill did not do anything about dirty tricks. I do not want to read the rollcall to the Members, nor do they want me to, of all the people who are either in jail or who have pleaded guilty or who have been sentenced to jail or who are on the way to jail or who have served their time and are on their way out for the dirty tricks and associated events.

Mr. ARMSTRONG. Mr. Chairman, will the gentleman yield?

Mr. HAYS. Not right now. The gentleman had his time and I did not ask him to yield, but just sit down and get a little castor oil, it will be good for the gentleman.

I just want to tell the gentleman this is already in the law. These fellows did not go to jail—Segretti, for example—because somebody did not like the color of their hair. Segretti went to jail because he violated a law and he pleaded guilty to it.

It would be a little redundant it seems to me to put in a bill a great deal of language which is already in the law. These things are against the law. These things were perpetrated on the American people and the perpetrators have either paid or are in the process of paying or will pay the penalty.

I just want to tell the Members who get so up tight about this, that this has been no easy task for this committee to write this bill. I do not claim this bill is perfect. I am the last one to do that. I just say it is better than what we have now. The Members have had chances to raise the limit, to lower the limit, and we have had rollcalls and votes on it. We are going to have a chance to have the gentleman from Illinois (Mr. ANDERSON) or the gentleman from Arizona (Mr. UDALL) present their plan for public financing for Members of the House and the Senate, and we are going to have a rollcall on that, and they are going to get defeated on it.

We do have in here a test run for public financing for the Presidents. If the Members do not like that, they can offer an amendment to take it out. That is perfectly in order.

But the gentleman can stand up and talk about a gag rule until he is blue in the face and the only person who ultimately is going to gag is the gentleman because this is not a gag rule.

Mr. FREY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, certainly when the gentleman from Ohio speaks about baloney, I know of no one in the House who is more qualified to address himself to that.

I compliment the gentleman from Colorado (Mr. ARMSTRONG) on his remarks and his sincere desire to address himself to a problem that we all are worried about. He is an outstanding Member of Congress and has been a prime mover in election reform.

I do not think, frankly, we are going to get anywhere by charges and countercharges. I think the previous remarks are a cheap shot. I do not think it is going to help this House or this country at this time to indulge in this type of debate—It is a time to heal, not divide.

This is a tough issue and there are two sides to it. Like most issues, there are honest differences of opinion. I just hope we can carry out the rest of the debate without this kind of nonsense.

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire (Mr. CLEVELAND).

AMENDMENT OFFERED BY MR. CLEVELAND

Mr. CLEVELAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLEVELAND: Page 4, line 23, strike out "$75,000" and insert in lieu thereof "$60,000".

PARLIAMENTARY INQUIRY

Mr. FRENZEL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FRENZEL. Mr. Chairman, has the amendment which was read been published in the RECORD, as required by our rule?

The CHAIRMAN. The Chair will state that it has, yes.

Mr. FRENZEL. Has it been published in the form in which it is presented, Mr. Chairman?

The CHAIRMAN. Yes. My understanding is that it is so presented.

Mr. CLEVELAND. Mr. Chairman, this amendment did appear in the CONGRESSIONAL RECORD 2 days ago in the form it has been presented. It is a very simple amendment. I am not sure it even requires 5 minutes of discussion.

My amendment reduces the expenditure level from $75,000 to $60,000. Yesterday, as we all know, we had a vote on cutting down the limit from $75,000 to $42,500. The vote was reasonably close. There was a long debate.

I think most of the arguments that were offered in support of the amendment to reduce the expenditure level to $42,500 would be relative to this amendment, which would put the amount to $60,000.

I might say that in the committee the original draft of this bill with which we are confronted arrived at $60,000 as a fair consensus. Later on there was an amendment that raised it to $75,000. I personally think $60,000 is the best mean figure, for all the States.

I strongly supported the amendment of the gentleman from Wisconsin (Mr. OBEY) which would have given States the right to establish a lower limit and this would have removed the urgency for cutting down the expenditure to the $60,000 figure.

I keep saying $60,000, but it is $60,000 for a primary and $60,000 for a general election. That is $120,000.

Then under the other provisions of this bill there is a percentage, 25 percent I believe, that we are allowed for money-raising functions. So we are not speaking about just the $60,000. We are speaking about what in reality would be a good deal closer to $150,000.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, like the gentleman in the well, I supported the amendment of the gentleman from Georgia (Mr. MATHIS) and the amendment of the gentleman from Wisconsin (Mr. OBEY).

I would like to ask a clarifying question. I hear about the $75,000 limit in this bill. It is my understanding it would be possible under this legislation, if there were a runoff election, for a person to legally spend up to $250,000 or $275,000 in 1 election year: $75,000 for the primary, $75,000 for the general election and if there is a runoff another $75,000; that would raise it to $225,000 in an election year.

Then there is another provision, as I understand it, which allows one to spend one-fourth of the total to raise the funds of each of three possible elections; so we are talking about $225,000, plus 25 percent of a possible $225,000 so that in 1 year's time either an incumbent or a challenger, could spend up to $275,000 legally under this legislation. Is that the understanding of the gentleman?

Mr. CLEVELAND. I am not sure if the gentlewoman has her figures exactly correct. There is a possibility besides the primary and general and for the runoff, there is also a figure—I forget what that is.

Mr. HAYS. Mr. Chairman, if the gentleman will yield, it is 25 percent of the limit.

Mr. CLEVELAND. Twenty-five percent of the limit for raising money.

Mrs. GREEN of Oregon. It could be 25 percent of the $225,000?

Mr. HAYS. Mr. Chairman, will the gentleman yield to me?

Mr. CLEVELAND. I yield to the gentleman from Ohio.

Mr. HAYS. The figure, I would say to the gentlewoman, would apply to each election, 25 percent of $75,000, or, if the gentleman's amendment prevailed, 25 percent of $60,000.

Mrs. GREEN of Oregon. Or 25 percent of $225,000.

Mr. HAYS. Well, the chances of a runoff are extremely remote. It might happen in one of 400 elections, but the possibility is there in those States that have a runoff.

Mrs. GREEN of Oregon. Mr. Chairman, I thank the gentleman for yielding to me. A ceiling of $275,000 in an election year for one candidate does not seem to me much of a campaign reform. Let us, at a minimum, approve the amendment offered by the gentleman from New Hampshire and impose a ceiling on each primary—each general—each run-off election to $60,000. That still allows $225,000 in a single election year.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding and rise in support of the amendment. Mr. Chairman, if I understand the gentleman's amendment correctly, it is $60,000 per election; that is, $60,000 for the primary election and $60,000 for the general election. The gentleman is also pointing out that there would be additional amounts available to be raised as it relates to section 591 on page 16 of the bill before us, which allows for certain costs of fund raising. The total amount would be $150,000 or even possibly more of the total. Is that correct?

Mr. CLEVELAND. Under my amendment, $60,000; $60,000 plus $60,000, would be $120,000.

Mr. ROUSSELOT. But with a 25-percent clause on page 16, additional amounts of funding would be available to be added to the ceiling. Is that not correct?

Mr. CLEVELAND. Right. That would have to be expended to raise the money.

Mr. HAYS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the statement of the gentleman from New Hampshire, a member of the committee, was eminently fair and correct. He stated the position of the committee as accurately as possible, as I remember.

The question before us is very simple, and I hope not to take more than a minute or two. I am standing behind the committee bill because, as chairman of the committee, I have that obligation. We did, as I said yesterday, go up and down the road on the amounts, and we can have a lot more amendments. Some Member can offer an amendment for $30,000 or $40,000 or $41,200; any figure he picks, so long as it has not been offered before.

I thought we settled this yesterday on the basis that the committee had rejected one for consideration of $90,000, rejected another for $100,000, rejected what I started out with, $60,000, and had settled on $75,000.

We can go here all day today and all day tomorrow if we want to about what the proper figure is, and I do not know that we will ever have a meeting of the minds. So, I would just ask for an up or down vote on this.

I do support the compromise, which is $75,000.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I thank the chairman for yielding to me. I simply want to associate myself with his position on this matter and reiterate that there are 435 congressional districts in the United States. It is enormously difficult to develop a figure that is fair clear across the board.

The committee labored long on this matter, and the figure of $75,000, to which can be added 25 percent in order to provide for the cost of raising funds, was arrived at.

With a dinner—for example, the food—it seems to me to be the fairest position we can develop, and I hope the gentleman's amendment is rejected.

Mr. HAYS. Mr. Chairman, let me just say about that 25 percent which seems to get everybody excited, that it never occurred to anyone, I think, that if I gave a dinner for which I sold tickets at $10, which some people do—in my district it is common—and I paid the PTA $5 and wound up with a $3,000 profit, that I had to list the $300 I paid for the dinner as a campaign expenditure because I did not get any money to spend and it did not go for anything except the food which the people ate that night. So the Board ruled that was an expenditure.

So, it did not occur to us that it was an expenditure, and this is simply an attempt to bring a little bit of sense into it. Whatever the limitation is, it ought to be a limit for campaign expenditures.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Chairman, as a matter of fact, on the forms we have been using the money would appear both as an increase in campaign contribution and as a campaign expenditure, and therefore it has been very misleading. It is just like the way loans have been handled. It misleads the voters into thinking that a person got more money than he did and spent more.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from California.

Mr. ROUSSELOT. The point is that under present law we still have to list that as part of the contribution. I am glad to see the 25 percent amendment in there regardless of how we finally come out on the ceiling.

We should understand that when we talk about absolute ceiling under the Cleveland amendment, it is higher than $120,000.

Mr. HAYS. That is correct.

Mr. MATHIS of Georgia. Mr. Chairman, I rise in support of the amendment.

I shall not take 5 minutes, but I would like, in addition to the statement made by my distinguished chairman, to point out to the Members of the House that not only can this 25 percent be applied to meat and potatoes, as we have referred to it, but it can also be applied to such campaign efforts as direct mail. Furthermore, there is nothing in this bill that prohibits erecting a billboard and at the bottom of that billboard asking for campaign contributions, even if it is one line which says at the bottom of the billboard, "Send a buck to MATHIAS," or whatever it might say.

The amendment that the gentleman from New Hampshire (Mr. CLEVELAND) has offered would, in fact, make $75,000 a real figure. For that reason, I support it. I do not think there is any need for us to carry debate out as far as we did yesterday.

I think most people's minds are set, but I do urge support of the amendment.

Mr. OBEY. Mr. Chairman will the gentleman yield?

Mr. MATHIS of Georgia. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would like to express agreement with the gentleman from Georgia. I do not know about other people, but I would prefer we keep things in this country so that we run for office, not buy the office.

The gentleman from Indiana indicated that there are 435 districts across this country, and they are all different.

I wish the gentleman had recognized that on the vote on the amendment I just offered.

There are 435 districts in the country, but in only 26 of them last year did candidates spend over $150,000. We should not make the abnormal the rule.

I think this amendment is eminently sensible. I think we ought to support it.

Some people have told me, "I could not have gotten here if I could not have spent more than what is allowed in the bill."

I am sorry. I have great respect for every Member of this House, but I do not think any man or woman here is worth $180,000 in campaign spending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. CLEVELAND).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. CLEVELAND. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 240, noes 175, not voting 19, as follows:

[Roll No. 463]

AYES—240

Abzug	Davis, S.C.	Hicks
Anderson, Calif.	Davis, Wis.	Hinshaw
Andrews, N. Dak.	de la Garza	Holt
Ashbrook	Denholm	Hosmer
Ashley	Dent	Hungate
Badillo	Devine	Hunt
Baker	Dickinson	Hutchinson
Bauman	Dingell	Ichord
Beard	Dorn	Jarman
Bennett	Downing	Johnson, Colo.
Bevill	Dulski	Johnson, Pa.
Biaggi	Duncan	Jones, N.C.
Bingham	Eckhardt	Jones, Okla.
Bowen	Edwards, Ala.	Jones, Tenn.
Bray	Esch	Kastenmeier
Breaux	Eshleman	Kazen
Brinkley	Evans, Colo.	Kemp
Broomfield	Evins, Tenn.	Ketchum
Brown, Calif.	Fish	Landgrebe
Burgener	Fisher	Landrum
Burke, Fla.	Flowers	Latta
Burleson, Tex.	Flynt	Leggett
Burlison, Mo.	Ford	Lent
Butler	Fountain	Long, Md.
Byron	Frey	Lott
Camp	Fulton	Lujan
Carney, Ohio	Gaydos	Luken
Carter	Gettys	McClory
Cederberg	Gilman	McCloskey
Chamberlain	Ginn	McCollister
Chappell	Goldwater	McCormack
Clancy	Goodling	McEwen
Clark	Grasso	McKay
Clausen, Don H.	Green, Oreg.	Madigan
Clay	Griffiths	Mahon
Cleveland	Gross	Mazzoli
Collier	Grover	Martin, Nebr.
Conlan	Guyer	Mathias, Calif.
Conyers	Hamilton	Mathis, Ga.
Coughlin	Hammer-schmidt	Matsunaga
Daniel, Robert W., Jr.	Hanley	Mayne
Daniels, Dominick V.	Hanrahan	Melcher
Danielson	Harsha	Milford
	Hechler, W. Va.	Miller
	Helstoski	Mills
	Henderson	Minish
		Mink
		Minshall, Ohio

Mollohan	Rostenkowski	Thomson, Wis.
Montgomery	Roush	Thornton
Moorhead, Calif.	Rousselot	Towell, Nev.
	Roy	Traxler
Moorhead, Pa.	Runnels	Ullman
Morgan	Ruth	Van Deerlin
Mosher	Ryan	Vander Veen
Moss	Sandman	Vanik
Murphy, Ill.	Scherle	Veysey
Murtha	Schneebeli	Vigorito
Myers	Schroeder	Waggonner
Natcher	Sebelius	Waldie
Nichols	Shipley	Walsh
Obey	Shoup	Wampler
O'Hara	Shriver	Ware
Passman	Shuster	White
Pettis	Skubitz	Whitehurst
Peyser	Smith, Iowa	Whitten
Pike	Snyder	Widnall
Podell	Spence	Wilson, Bob
Powell, Ohio	Stanton, J. William	Wilson, Charles H., Calif.
Price, Tex.	Stanton, James V.	Wilson, Charles, Tex.
Quie	Steele	Winn
Quillen	Steiger, Ariz.	Wright
Railsback	Stephens	Wyatt
Randall	Stokes	Wydler
Rangel	Stratton	Wyman
Regula	Stubblefield	Yates
Reuss	Stuckey	Yatron
Robinson, Va.	Sullivan	Young, Fla.
Roe	Symington	Young, S.C.
Rogers	Talcott	Zablocki
Roncallo, Wyo.	Taylor, Mo.	Zion
Roncallo, N.Y.	Taylor, N.C.	
Rooney, Pa.		
Rosenthal		

NOES—175

Adams	Flood	Nelsen
Addabbo	Foley	Nix
Alexander	Forsythe	O'Brien
Anderson, Ill.	Fraser	O'Neill
Andrews, N.C.	Frelinghuysen	Owens
Annunzio	Frenzel	Parris
Archer	Froehlich	Patman
Arends	Fuqua	Patten
Armstrong	Gialmo	Pepper
Aspin	Gibbons	Perkins
Bafalis	Gonzalez	Pickle
Barrett	Green, Pa.	Poage
Bell	Gubser	Preyer
Bergland	Gude	Price, Ill.
Biester	Gunter	Pritchard
Blackburn	Harrington	Rees
Boggs	Hastings	Reid
Boland	Hays	Rhodes
Bolling	Hébert	Riegle
Brademas	Heckler, Mass.	Rinaldo
Breckinridge	Heinz	Roberts
Brooks	Hillis	Robison, N.Y.
Brotzman	Hogan	Rodino
Brown, Mich.	Holtzman	Rose
Brown, Ohio	Horton	Roybal
Broyhill, N.C.	Howard	Ruppe
Broyhill, Va.	Huber	St Germain
Buchanan	Hudnut	Sarasin
Burke, Calif.	Johnson, Calif.	Sarbanes
Burke, Mass.	Jones, Ala.	Satterfield
Burton, John	Jordan	Seiberling
Burton, Phillip	Karth	Sikes
Casey, Tex.	King	Sisk
Clawson, Del	Kluczynski	Slack
Cochran	Koch	Smith, N.Y.
Cohen	Kuykendall	Staggers
Collins, Ill.	Kyros	Stark
Collins, Tex.	Lehman	Steed
Conable	Litton	Steelman
Conte	Long, La.	Steiger, Wis.
Corman	McDade	Studds
Cotter	McFall	Symms
Crane	McKinney	Thompson, N.J.
Cronin	Macdonald	Thone
Culver	Madden	Tiernan
Daniel, Dan	Mallary	Treen
Delaney	Mann	Udall
Dellenback	Martin, N.C.	Vander Jagt
Dellums	Mazzoli	Whalen
Dennis	Meeds	Wiggins
Derwinski	Metcalfe	Wolff
Donohue	Mezvinsky	Wylie
Drinan	Michel	Young, Alaska
du Pont	Mitchell, Md.	Young, Ga.
Edwards, Calif.	Mitchell, N.Y.	Young, Ill.
Eilberg	Mizell	Young, Tex.
Erlenborn	Moakley	Zwach
Fascell	Murphy, N.Y.	
Findley	Nedzi	

NOT VOTING—19

Abdnor	Gray	McSpadden
Blatnik	Hanna	Rarick
Brasco	Hansen, Idaho	Rooney, N.Y.
Carey, N.Y.	Hansen, Wash.	Teague
Chisholm	Hawkins	Williams
Davis, Ga.	Holifield	
Diggs	Lagomarsino	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there additional amendments to title I?

AMENDMENT OFFERED BY MS. HOLTZMAN

Ms. HOLTZMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLTZMAN: Page 2, line 12, strike out "$1,000" and insert in lieu thereof "$2,500."

Mr. FRENZEL. Mr. Chairman, I ask unanimous consent to have the amendment reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk reread the amendment, as follows:

Amendment offered by Ms. HOLTZMAN: Page 2, line 12, strike out "$1,000" and insert in lieu thereof "$2,500".

Ms. HOLTZMAN. Mr. Chairman, the purpose of this campaign reform bill, as I understand it, is to prevent candidates from being beholden to special interests and to allow the election of persons to the Congress and to the Presidency who will be able to represent the voters and not the special interests. I think this bill does a great deal toward cleaning up the election process and I will support it, but I am very concerned about the effect it is going to have on permitting new people—and especially ones who are not wedded to special interests—to hold Federal office.

This bill permits special interest groups to make substantial contributions of $5,000 to a candidate and allows the wealthy candidate to use $25,000 from his personal funds to finance his campaign. But what about the person who does not have $25,000 and who is either too new or too independent—or too honest—to get $5,000 from special interest groups? And what about the nonincumbent who has the foregoing disabilities and, in addition, is not sufficiently well known to pick up a significant number of small contributions.

I believe that the clear effect of these provisions in the bill is to give an unfair advantage to candidates who have an "in" with the special interest groups or the political machines, who are wealthy, or who are incumbents. In other words, I am concerned that this bill may preclude the independent newcomer from competing successfully for political office.

For that reason I suggest that increasing the individual contribution limits will go a long way toward enabling newcomers who cannot get $5,000 from political committees and who cannot make the $25,000 personal contribution to get a foothold in the electoral process.

What my amendment would do is to raise from $1,000 to $2,500 the amount an individual can contribute to a candidate. The amendment does not increase the overall limit a candidate can spend, but it does allow, it seems to me, an independent newcomer to get the "seed" money that is necessary to communicate with an electorate to whom he is unknown and to wage a serious campaign for Federal office.

I had planned to introduce an amendment that would have limited increased contributions to nonincumbents because I think they are the ones we ought to be concerned about in this respect. Since the chairman of the committee, however, advised me he was going to raise a point of order against the amendment, I did not introduce it. Instead, I would seriously urge my colleagues to consider my amendment favorably if they want to allow nonwealthy independent newcomers, to enter the political process.

It is one thing to try to clean up politics. It is another thing to freeze out people who can breathe fresh life into this Government.

I urge adoption of this amendment.

Mr. HAYS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the gentlewoman's amendment would do just the opposite of what she thinks it would do. The argument has been made, and I have been editorialized against for a year and a half, that we are trying to keep new people from coming in by putting on low limits that incumbents can raise and nonincumbents cannot. One of the things we tried to do in the bill was to lower the amount that people could give so that the nonincumbent would have an opportunity to get to people who give smaller amounts, whereas the incumbent might have, because of his incumbency, made friends with people who could give larger sums of money.

What this boils down to is: Do the Members want the limit that people can contribute to a campaign to be $1,000 or $2,500? That is all there is to it. There is nothing earth shaking about it. It is a decision for the House.

Let my say this. The committee started on the previous amendment with $60,000. As I said several times before, we walked up and down the road.

I just want to tell the Members that when we go to conference with the Senate that I do not intend to try to compromise the $60,000 figure. I voted for the $75,000. I am on record, that the House spoke rather decisively about what they wanted in the way of limitations and I intend to support the position of the House, because I am a great believer in majority rule. I do not think the other body ought to be pushing us around on a matter that was settled by a democratic vote and by a majority of 65 votes.

I did not feel any personal pain about that amendment passing. I did defend the bill. I did think the other figure was perhaps a better figure, but the House has spoken.

I will be willing to submit this amendment to the judgment of the House. The only thing I want us all to know is that there has been an awful lot of criticism in the country about rich people pouring their money into favored candidates. I do not have a single contributor in my district who has ever given me $1,000; so whether it is $1,000 or $2,500 is not going to affect me that much; but I think we ought to stick with the limit in the bill. I think it is a reasonable limit. Since the amount has been lowered to $60,000 for everybody, if that in unfair to nonincumbents, I cannot help that; but cer-

tainly if the argument is that a nonincumbent needs more money, he ought to be able to raise $60,000 easier than he would some other figure.

Mr. STEELE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment offered by the gentlewoman from New York, which would increase the amount an individual could contribute to a candidate for Federal office.

I oppose the amendment because I believe that the key to driving big money and special interests out of politics is to limit the amount of money an individual or organization can contribute to a candidate to the lowest practical amount.

This is precisely what I am trying to do in my own campaign for Governor in Connecticut, and I believe I am demonstrating that a political candidate can run an effective campaign and raise adequate campaign funds even on a statewide level without accepting big contributions.

Specifically, I am not accepting any contribution from any person or organization in excess of $100; I am publicly reporting and filing with the secretary of the State the names of all my contributors and the amounts of their contributions every 30 days; and I am channeling all campaign contributions through a single campaign committee.

My small-contributor fundraising drive has already topped the $80,000 mark and attracted almost 3,000 individual contributors, a large number of whom have never contributed to a political campaign before.

In essence, we are showing in Connecticut that it is possible to eliminate big money from politics and still wage an effective campaign; that large numbers of people will respond to an honest effort to drive big money and special interests out of the political system; and that it is possible to attract new workers and contributors to participate in a political campaign despite the great cynicism toward politics which exists in this Watergate year.

With the $100 limit working so well in Connecticut, there is simply no way I can accept the gentlewoman's argument that the $1,000 contribution limit contained in the committee bill is too low. If anything, it is much too high and should be reduced. Since it is clear, however, that this body is not prepared to lower the limit at this time, let us at least not weaken the bill further by increasing the limit to $2,500. Such an increase would simply allow big contributors and special interests to play that much larger a role in financing campaigns across the country. Indeed, under the amendment, a mere 24 large contributors could finance an entire Congressional campaign. Our goal should be to increase the number of small contributors to a political campaign, not to reduce the number, as the amendment would serve to do.

In sum, the amendment would significantly weaken the basic reform we are trying to accomplish here today, and I urge the House to reject it.

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, the gentlewoman has raised a very good question. What she seeks to obtain is equity between individuals and special interest groups, and that effort is, indeed, laudable.

The problem is that, with the limitation we have now set, the gentlewoman's amendment would permit 24 people to finance a total election for any one candidate. That is just too few to be allowed to get into our law.

What drives her into that problem is that individuals are allowed to contribute much less than special interest groups. A better attack on the problem would be to reduce what the special interest groups can give. But, because the committee errored in combining political parties with special interest groups, we felt compelled to hold the level at $5,000.

The whole thing tells us we would have been better off with an open rule to give the Members better flexibility on this serious problem.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. HOLTZMAN).

The amendment was rejected.

The CHAIRMAN. Are there additional amendments to title I? The Chair hears none.

Are there eligible amendments to title II?

COMMITTEE AMENDMENTS OFFERED BY MR. THOMPSON OF NEW JERSEY

Mr. THOMPSON of New Jersey. Mr. Chairman, I offer three committee amendments.

The Clerk read as follows:

Committee amendments offered by Mr. THOMPSON of New Jersey: Page 29, beginning in line 7, strike out "(B)" and all that follows down to but not including "(C)" in line 12, and insert in lieu thereof the following:

"(B) the use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities.".

Page 31, beginning in line 7, strike out "(D)" and all that follows down to but not including "(E)" in line 12, and insert in lieu thereof the following:

"(D) the use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities,".

Page 30, line 8, insert ", (C)," immediately after "(B)".

Mr. THOMPSON of New Jersey (during the reading). Mr. Chairman, these committee amendments are simply technical and conforming in nature. I ask unanimous consent that they be considered en bloc and be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Chairman, I refer the Members to page H7844 of the RECORD of yesterday, where the committee adopted the technical committee amendments. These amendments are simply to have in title II the identical changes as appear and were accepted in title I.

Mr. FRENZEL. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Chairman, these are the committee amendments which yesterday we approved for the expenditure and contribution limitations. They are identical today, and we are applying them to the disclosure section of the law.

They were adopted unanimously in the committee. They tighten loopholes which previously existed, and I hope they are agreed to.

The CHAIRMAN. The question is on the committee amendments offered by the gentleman from New Jersey (Mr. THOMPSON).

The committee amendments were agree to.

COMMITTEE AMENDMENT OFFERED BY MR. BRADEMAS

Mr. BRADEMAS. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. BRADEMAS: Page 25, strike out line 14 and all that follows down through page 27, line 24, and insert in lieu thereof the following:

(b)(1) Section 308(a)(10) of the Federal Election Campaign Act of 1971 (as so redesignated by subsection (a) of this section), relating to the prescription of rules and regulations, is amended by inserting before the period at the end thereof the following: ", in accordance with the provisions of subsection (b) and (c)"

(2) Section 308 of such Act, relating to duties of the supervisory officer, is amended—

(A) by striking out subsection (b) and (c); and

(B) by inserting immediately after subsection (a) the following new subsection (b) and (c)

"(b)(1) The supervisory officer, before prescribing any rule or regulation under this section, shall transmit a statement with respect to such rule or regulation to the Senate or the House of Representatives, as the case may be, in accordance with the provisions of this subsection. Such statement shall set forth the proposed rule or regulation and shall contain a detailed explanation and justification of such rule or regulation.

"(2) If the appropriate body of the Congress which receives a statement from the supervisory officer under this subsection does not, through appropriate action, disapprove the proposed rule or regulation set forth in such statement no later than 30 legislative days after receipt of such statement, then the supervisory officer may prescribe such rule or regulation. In the case of any rule or regulation proposed to deal with reports or statements required to be filed under this title by a candidate for the office of President, and by political committees supporting such a candidate both the Senate and the House of Representatives shall have the power to disapprove such proposed rule or regulation. The supervisory officer may not prescribe any rule or regulation which is disapproved under this paragraph.

"(3) If the supervisory officer proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this title by a candidate for the office of Senator and by political committees supporting such candidate he shall transmit such statement to the Senate. If the supervisory officer proposes to prescribe any rule or regulation dealing with reports or state-

ments required to be filed under this title by a candidate for the office of Representative or by political committees supporting such candidate, he shall transmit such statement to the House of Representatives. If the supervisory officer proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this title by a candidate for the office of President and by political committees supporting such candidate he shall transmit such statement to the House of Representatives and the Senate.

"(4) For the purposes of this subsection, the term 'legislative days' does not include, with respect to statements transmitted to the Senate, any calendar day on which the Senate is not in session, and with respect to statements transmitted to the House of Representatives, any calendar day on which the House of Representatives is not in session and with respect to statements transmitted to both such bodies any calendar day on which both Houses of the Congress are not in session.".

(c)(1) The supervisory officer shall prescribe suitable rules and regulations to carry out the provisions of this title, including such rules and regulations as may be necessary to require that—

"(A) reports and statements required to be filed under this title by a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, and by political committees supporting such candidate, shall be received by the Clerk of the House of Representatives as custodian for the Board;

"(B) reports and statements required to be filed under this title by a candidate for the Office of Senator, and by political committees supporting such candidate, shall be received by the Secretary of the Senate as custodian for the Board; and

"(C) the Clerk of the House of Representatives and the Secretary of the Senate, as custodians for the Board, each shall make the reports and statements received by him available for public inspection and copying in accordance with paragraph (4) of Subsection a, and preserve such reports and statements in accordance with paragraph (5) of Subsection a .".

(2) It shall be the duty of the Clerk of the House of Representatives and the Secretary of the Senate to cooperate with the Board of Supervisory Officers in carrying out its duties under the Federal Election Campaign Act of 1971 and to furnish such services and facilities as may be required in accordance with this section.

Page 32, strike out lines 13 through 21, and insert in lieu thereof the following:

"(g) 'supervisory officer' means the Board of Supervisory Officers established by section 308(a) (1).".

Page 33, strike out lines 20 through 23 and insert in lieu thereof the following:

The clerk of the House and the Secretary of the Senate who shall serve without the right to vote and 4 members as follows:

Page 33, line 24, strike out "(D)" and insert in lieu thereof "(A)".

Page 34, line 3, strike out "(E)" and insert in lieu thereof "(B)".

Page 34, line 8, strike out "(D) and (E)" and insert in lieu thereof "(A) and (B)".

Page 34 line 15, strike out "(D) and (E)" and insert in lieu thereof "(A) and (B)".

Page 34, line 24, strike out "(D" and insert in lieu thereof "(A)".

Page 35, line 2, strike out "(E)" and insert in lieu thereof "(B)".

Page 35, beginning in line 6, strike out", prorated on a daily basis" and all that follows down through line 11 and insert in lieu thereof a period.

Page 37, beginning in line 9, strike out "and to review actions of the supervisory officers".

Page 38, strike out line 25 and all that follows down through page 39, line 6.

Page 39, line 7, strike out "(2)" and insert in lieu thereof "(b)(1)", and renumber the following paragraphs accordingly.

Page 39, line 15, strike out "Any supervisory officer" and insert in lieu thereof the following:

The Clerk of the House of Representatives, the Secretary of the Senate, or any other person receiving reports and statements as custodian for the Board.

Page 43, beginning in line 16, strike out "each of the" and all that follows down through line 19, and insert in lieu thereof the following: the Board such sums as may be necessary to enable it to carry out its duties under this Act.".

Mr. BRADEMAS (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the committee amendment be dispensed with and that it be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Chairman, the amendment I am here offering is a committee amendment. It was unanimously accepted in the committee. It is an amendment concerning the Board of Supervisory Officers, and I shall explain the amendment very briefly.

The amendment would provide for a six member Board composed of four public members who will be appointed, two by the Speaker of the House and two by the President of the Senate—that is to say, the Vice President—on a bipartisan basis. There will also be sitting on the Board, but on a nonvoting basis, the Clerk of the House and the Secretary of the Senate.

The amendment also modifies the "review of regulations" section in the committee bill to provide that all rules and regulations be submitted, not to the House Administration Committee and not to the Senate Rules and Administration Committee, but rather to the Senate and the House for review. Regulations regarding House elections would be submitted to the House, and regulations regarding Senate elections to the Senate, and regulations regarding presidential elections to both the Senate and the House. The appropriate body of Congress would have 30 days within which to disapprove the proposed rule or regulation. If the regulations are submitted to both Houses, as in the case of the presidential election, either would have the power to disapprove.

In addition, the amendment would vest all supervisory responsibilities of the Comptroller General in the Board of Supervisory Officers. Most of the supervisory responsibilities of the Clerk of the House and Secretary of the Senate would be vested in the Board except that the Secretary and Clerk would act as custodians for the Board with respect to reports filed by candidates to the House and Senate, and the Board would be required to make such reports and statements available for public inspection and copying.

Mr. Chairman, I would make these observations in conclusion: We have tried in this committee amendment to respond to criticism of the language in the committee bill wherein Congressional employees were seated on the Board. Moreover, the committee earlier removed a provision whereby Members of the House and Senate were sitting on the Board.

Second, under this committee amendment, the chief responsibility for supervision and enforcement of the campaign laws is placed in a Board that is clearly independent.

Finally, as I have already indicated, the amendment removes the veto power from congressional committees.

To reiterate, the amendment was agreed to unanimously.

Mr. FRENZEL. Mr. Chairman, would the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, this is the amendment that, at one point, the gentleman from Florida and I served notice to the House that we would put in the RECORD.

This is a variation of the original Fascell-Frenzel amendment which the committee has accepted and which now appears before us in the form of this committee amendment.

It does represent a significant compromise. It makes the Clerk and the Secretary nonvoting members of the Supervisory Board and gives the Board, in my opinion, sufficient independence and authority so that we can expect uniform fair enforcement of our election law.

We do not touch the duties or the powers of the Board of Supervisory Officers at all. Instead of a veto of regulations by the committees of the House and Senate, that veto is reserved for the whole bodies of either House.

Mr. Chairman, in my judgment, this is a fine compromise. I congratulate the Chairman for having engineered that compromise, and the gentleman from Indiana as well. Most of all I applaud the gentleman from Florida (Mr. FASCELL).

I think the bill is in a good form to provide reasonable independent supervision, and yet to keep control of the regulations so that no supervisory agent can run roughshod over the Congress.

I do intend to ask for a vote on this amendment because I think some Members of the House may be concerned that we would concede some extra powers to the Senate, and I would not want anyone to feel that way about it.

Mr. HAYS. Mr. Chairman, will the gentleman yield,

Mr. BRADEMAS. I will be glad to yield to the chairman, the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, does the gentleman say that he is going to ask for a recorded vote because he thinks we are conceding some powers to the Senate?

Mr. FRENZEL. I say that because the Senate bill has more authority for its independent commission, I felt it wise that this body go on record indicating that these are the total powers we would like the Board to have.

Mr. BRADEMAS. Mr. Chairman, I would like to express my appreciation to the gentleman from Minnesota (Mr. FRENZEL) and to the gentleman from Florida (Mr. FASCELL) for their cooperation in working this out.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I thank the gentleman for yielding.

I intend to take a little bit of time in order to express my feelings on this subject.

I thank the gentleman from Indiana for his help and effort, and I would like to express particular thanks to the chairman of the full committee, the gentleman from Ohio, Mr. Hays.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of words.

When the gentleman from Minnesota and I started working on this amendment, there was a very wide gap between our views and the committee bill as it first came out of the committee. However, with his leadership on the minority side—and I pay tribute to the gentleman from Minnesota (Mr. FRENZEL) for his perseverance and dedication on this matter—it became necessary for us to discuss the matter with the chairman of the full committee and with other Members.

I must say that in the best spirit of reaching a compromise which seems to meet all or most of the objections, I found the gentleman from Ohio, the chairman of the full committee (Mr. HAYS) to be, as he is known to be, tough and articulate, but not unresponsive. He has cooperated to the extent that now the gentleman from Minnesota and I and the committee have reached a position that the committee has accepted this as a committee amendment. I am grateful for that. I think that is the spirit and the way legislation should be arrived at here in this House.

All I want to say is that despite our feelings on the subject, the gentleman from Ohio (Mr. HAYS) has been responsive to a large group of people in this House, some 60 or more, who felt that this issue was a very vital issue. He was willing to work with us in order to achieve the compromise which is before us here today as a committee amendment.

Let me also say that it has been a pleasure to work with the gentleman from Minnesota (Mr. FRENZEL) on this matter on behalf of the some 60 or so cosponsors who believed the amendment of the committee was absolutely essential. This amendment gives the primary responsibility for supervision and enforcement of our campaign reform laws to this independent enforcement commission.

Furthermore, Mr. Chairman, under section 315 and other sections of this bill, the elections commission besides having the primary supervisory and enforcement authority, is given full independent authority to seek enforcement through civil action in court by way of injunction or other appropriate relief, without the necessity of submitting the matter to the Attorney General first. This independent enforcement capability is the heart and crux of campaign reform.

So, Mr. Chairman, I rise in support of the Federal Election Campaign Act Amendments of 1974 and certain amendments. This is one of the most important pieces of legislation to be considered by the House of Representatives during this Congress. The credibility of the Congress is at stake, and it is essential that we in the House of Representatives go on record in resounding support of the strongest measure possible.

The escalating cost of Federal election campaigns in recent years, and the growing reliance by candidates on large contributions from a few sources, have made it imperative that reasonable restrictions be enacted on total expenditures by candidates and on individual contributions.

Under the present law, there is no limitation on individual contributions to candidates for Federal office. As a result, as costs for Federal election campaigns have risen unchecked from an estimated $90 million in 1952 to an estimated $400 million in 1972, the need and the inclination to solicit and accept increasingly large contributions from individual contributors has grown proportionately.

Understandably, speculation and charges of undue influence and of "buying" candidates have gone hand in hand with the growing size of individual contributions. It is indeed difficult to make a convincing case that the contributor who gave $50,000 or $100,000 or even $1 million has not or cannot wield undue influence at some point with an elected official.

And the Watergate related scandals—the milk fund contributions, sizable corporate cash contributions, the laundering of cash contributions—have substantiated the charges and convinced the American people that their suspicions were warranted.

To restore public confidence in our elected officials and in the Federal election process, and to make absolutely sure that the massive campaign financing abuses we have recently witnessed do not recur, we must enact realistic limits on total campaign expenditures, on individual contributions, on cash contributions, and on committee contributions; and we must insure that these restrictions are vigorously enforced by an independent body.

Unless we make adequate provision for the independent and vigorous enforcement of the limitations we enact, we will remain open to charges of conflict of interest and public distrust will continue. I have intended, therefore, to offer an amendment with our colleague, Congressman BILL FRENZEL, and a strong bipartisan group of more than 60 Members of the House to make changes in the composition of the Board of Supervisory Officers and to eliminate congressional committee veto of the Board's regulations so that its independence is assured. Those joining in sponsoring the amendment include:

Bella Abzug, Brock Adams, John A. Anderson, LaMar Baker, Lindy Boggs, Clarence Brown, George Brown, Jr., Jim Broyhill, Clair Burgener, M. Caldwell Butler, Thad Cochran.

Barber Conable, Silvio Conte, John Conyers, Lawrence Coughlin, John Culver, John Dellenback, Robert Drinan, Thaddeus Dulski, John Erlenborn, Marvin Esch, Frank Evans, Thomas Foley, Donald Fraser, Lou Frey, Harold Froehlich.

Gilbert Gude, Tennyson Guyer, Lee Hamilton, Jim Hastings, John Heinz, Frank Horton, Jack Kemp, William Lehman, Gillis Long, Trent Lott, Richard Mallary, Wiley Mayne.

Edward Mezvinsky, Bob Michel, Donald Mitchell, Wayne Owens, Claude Pepper, Jerry Pettis, Richardson Preyer, Albert Quie, John Rhodes, Matthew Rinaldo, J. Kenneth Robinson, Howard Robison, Angelo D. Roncallo, Charles Rose, William R. Roy.

William Sarasin, Patricia Schroeder, Dick Shoup, Pete Stark, Gerry Studds, Roy Taylor, Morris Udall, William Walsh, Lester Wolff, Antonio Won Pat, Sidney Yates, Andrew Young.

I was pleased to note that in its editorial on Monday, August 5, the Washington Post commented on our amendment stating:

If any single amendment deserves to be adopted by the House, it is this one, for there could be no more constructive change in Federal campaign practices than to have the regulatory laws—whatever they may be—aggressively and consistently policed by an agency with enough authority to do the job.

I urge our colleagues to give their support to this amendment as it is now offered as a committee amendment.

Mr. Chairman, the American public is looking to the Congress for positive action to restore confidence in our system of government which has been so badly shaken in recent months. Passage of meaningful reforms in campaign financing laws would serve notice that we are cleaning house, and we will assure accountability and eliminate any possibility of financial influence peddling.

Mr. MATHIS of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not take this time to ask for a vote, as the gentleman from Minnesota (Mr. FRENZEL) has indicated he is going to, on this amendment.

The committee did agree to this as a compromise. I think I have somewhat of an obligation to the Members of the House to ask the hypothetical question—it may well be the real question—and that is this: Where does this amendment come from? And why do we need it?

I think the obvious truth is that it came from Common Cause.

Mr. Chairman, I have not had one constituent in my district, except a few members of Common Cause, contact me about an independent election commission. In the time I have been in Congress I have not had one constituent write me and complain about the method by which the Clerk of the House and the Secretary of the Senate have conducted themselves in enforcing this law.

The record, I think, speaks more eloquently than I can to this point. There have been over 5,000 violations of the 1971 act referred to the Department of Justice for prosecution, and I am informed that there have been three which have been followed through on.

So where is the demand for this amendment coming from? Why are we doing this to ourselves?

In accepting this amendment, we are taking away whatever power we might have vested in the Clerk of the House and in the Secretary of the Senate to insure that they would regulate and they

would police and they would monitor the activities of this House.

I think what we are going to do when we adopt this amendment—and I think it will be adopted—to create an independent election commission is this: We going to set up a bunch of headhunters down here who are going to spend their full time trying to make a name for themselves persecuting and prosecuting Members of Congress.

I will say to the Members of the House that I think if we adopt this amendment—and I think we are going to do that—each and every one of us is going to rue the day we did.

Mr. BURLISON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MATHIS of Georgia. I yield to gentleman from Missouri.

Mr. BURLISON of Missouri. Mr. Chairman, is the gentleman from Georgia saying that with this amendment we are setting the stage for making it impossible for an incumbent to get a fair shake before this group.

Mr. MATHIS of Georgia. Mr. Chairman, I think my friend, the gentleman from Missouri, may very well be eminently correct. I think there will be a tendency in that direction.

Of course, we do not know who is going to be on this commission; we have no idea. It might have been 2 years ago the members might have been Ehrlichman, Mitchell, Haldeman, and Dean.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MATHIS of Georgia. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, as the gentleman knows, I have had sympathy for his position. I opposed as vigorously as I knew how the idea of the Presidential commission.

Somebody came in with the proposal during hearings that we have a five-member commission consisting of the President and four persons appointed by him, and I resisted that. The gentleman is eminently right. It might have been those persons the gentleman named, given the situation 2 years ago or 3 years ago.

Mr. Chairman, this commission will be appointed by the Speaker and the Vice President, two by each. Of the two they appoint, one has to be of a different political party.

I think it is unlikely that the Speaker of the House and the present Vice President, who, incidentally, will obviously not be doing the appointing—some new Vice President will—are going to appoint people of the caliber the gentleman mentioned. There is this danger, I would say to the gentleman, that these people will find themselves unoccupied or not occupied enough and will try to become headhunters.

However, in Ohio, for example, we have the entire power vested in the Secretary of State, and he is of one political party. He does not have much else to do, and I am happy to say that our present Secretary of State has found other fields of recreation. He spends most of his time drinking, so, therefore, he does not bother to hunt anybody's head.

So, therefore, this town being what it is, we may find that the commission will wind up in some other recreation, like out at Burning Tree or something like that. But the House and the Senate will have oversight on this, and as long as I am chairman, I will exercise some authority.

Mr. MATHIS of Georgia. Mr. Chairman, I appreciate the remarks made by my distinguished chairman. I know how hard he really worked to arrive at some compromise with which we can live in this body.

But my chairman knows that there is no vote reserved for any employee or Member of the House if it were taken away from the Clerk of the House.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MATHIS of Georgia. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, I am in support of the amendment, and certainly agree with the gentleman that the Clerk of the House of Representatives and the representative of the Senate should have a vote if they are to be on the Commission, otherwise I see no useful purpose in it.

The CHAIRMAN. The time of the gentleman has expired.

(On the request of Mr. THOMPSON of New Jersey, and by unanimous consent, Mr. MATHIS of Georgia was allowed to proceed for 2 additional minutes.)

Mr. MATHIS of Georgia. Mr. Chairman, I agree with the gentleman.

Mr. THOMPSON of New Jersey. I simply wanted to say that this is infinitely better than the Senate version, which has them appointed by the President.

Mr. MATHIS of Georgia. I agree fully with my friend, the gentleman from New Jersey, that it is in fact a better provision than exists in the Senate bill. I would certainly hold out no hope we could defeat this amendment, and I have no intention to do so. I have simply taken this time to point out to the Members of the House the dangers I see to us as sitting Members of this body, and would say that the Members had better watch their heads once the Commission is established.

Mr. HAYS. Mr. Chairman, if the gentleman will yield, I would just say to the Members of the House that the gentleman from Florida (Mr. FASCELL) has been very kind in praising me for the ability to compromise, and I think I do have that ability. But when we go to conference this will be the board or there "ain't" going to be any bill, and I will not give in to the Senate version on this one, and I know the other conferees will not, either.

Mr. MATHIS of Georgia. I appreciate the statement and the assurances of my chairman.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Indiana (Mr. BRADEMAS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FRENZEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 391, noes 25, not voting 18, as follows:

[Roll No. 464]

AYES—391

Abdnor	Donohue	Lott
Abzug	Dorn	Lujan
Adams	Downing	Luken
Addabbo	Drinan	McClory
Alexander	Dulski	McCloskey
Anderson, Calif.	Duncan	McCollister
	du Pont	McCormack
Anderson, Ill.	Eckhardt	McDade
Andrews, N.C.	Edwards, Ala.	McEwen
Andrews, N. Dak.	Edwards, Calif.	McFall
	Eilberg	McKay
Annunzio	Erlenborn	McKinney
Archer	Esch	Macdonald
Arends	Eshleman	Madden
Armstrong	Evans, Colo.	Madigan
Ashbrook	Fascell	Mahon
Ashley	Findley	Mallary
Aspin	Fish	Mann
Badillo	Flood	Maraziti
Bafalis	Flowers	Martin, Nebr.
Baker	Foley	Martin, N.C.
Barrett	Ford	Mathias, Calif.
Bauman	Forsythe	Matsunaga
Beard	Fountain	Mazzoli
Bell	Fraser	Meeds
Bennett	Frelinghuysen	Melcher
Bergland	Frenzel	Metcalfe
Bevill	Frey	Mezvinsky
Biaggi	Froehlich	Michel
Biester	Fulton	Milford
Bingham	Fuqua	Miller
Blackburn	Gaydos	Minish
Blatnik	Giaimo	Mink
Boggs	Gibbons	Minshall, Ohio
Boland	Gilman	Mitchell, Md.
Bolling	Ginn	Mitchell, N.Y.
Bowen	Goldwater	Mizell
Brademas	Gonzalez	Moakley
Bray	Goodling	Mollohan
Breaux	Grasso	Moorhead, Calif.
Breckinridge	Green, Oreg.	
Brinkley	Green, Pa.	Moorhead, Pa.
Brooks	Griffiths	Morgan
Broomfield	Grover	Mosher
Brotzman	Gubser	Murphy, Ill.
Brown, Calif.	Gude	Murphy, N.Y.
Brown, Mich.	Gunter	Murtha
Brown, Ohio	Guyer	Myers
Broyhill, N.C.	Haley	Natcher
Broyhill, Va.	Hamilton	Nedzi
Buchanan	Hammer-schmidt	Nelsen
Burgener		Nichols
Burke, Calif.	Hanley	Nix
Burke, Fla.	Hanna	Obey
Burke, Mass.	Hanrahan	O'Brien
Burton, John	Harrington	O'Hara
Burton, Phillip	Harsha	O'Neill
Butler	Hastings	Owens
Byron	Hawkins	Parris
Camp	Hays	Passman
Carney, Ohio	Hechler, W. Va.	Patman
Carter	Heckler, Mass.	Patten
Casey, Tex.	Heinz	Pepper
Cederberg	Helstoski	Perkins
Chamberlain	Henderson	Pettis
Clancy	Hicks	Peyser
Clark	Hillis	Pickle
Clausen, Don H.	Hinshaw	Pike
	Hogan	Poage
Clawson, Del	Holt	Podell
Clay	Holtzman	Preyer
Cleveland	Horton	Price, Ill.
Cochran	Hosmer	Price, Tex.
Cohen	Howard	Pritchard
Collier	Huber	Quie
Collins, Ill.	Hudnut	Quillen
Collins, Tex.	Hungate	Railsback
Conable	Hunt	Randall
Conlan	Hutchinson	Rangel
Conte	Ichord	Rees
Conyers	Jarman	Regula
Corman	Johnson, Calif.	Reid
Cotter	Johnson, Colo.	Reuss
Coughlin	Johnson, Pa.	Rhodes
Crane	Jones, N.C.	Riegle
Cronin	Jones, Okla.	Rinaldo
Culver	Jordan	Roberts
Daniel, Dan	Karth	Robinson, Va.
Daniel, Robert W., Jr.	Kastenmeier	Robison, N.Y.
	Kazen	Rodino
Daniels, Dominick V.	Kemp	Roe
	Ketchum	Rogers
Davis, Wis.	King	Roncalio, Wyo.
de la Garza	Kluczynski	Roncallo, N.Y.
Delaney	Koch	Rooney, Pa.
Dellenback	Kuykendall	Rose
Dellums	Kyros	Rosenthal
Denholm	Lagomarsino	Rostenkowski
Dennis	Latta	Roush
Derwinski	Lehman	Roy
Devine	Lent	Roybal
Dickinson	Litton	Runnels
Dingell	Long, La.	Ruppe

Ruth	Steiger, Ariz.	Ware
Ryan	Steiger, Wis.	Whalen
St Germain	Stephens	White
Sandman	Stokes	Whitehurst
Sarasin	Stratton	Widnall
Sarbanes	Stubblefield	Wiggins
Satterfield	Stuckey	Wilson, Bob
Scherle	Studds	Wilson,
Schneebeli	Sullivan	Charles H.,
Schroeder	Symington	Calif.
Sebelius	Talcott	Wilson,
Seiberling	Taylor, Mo.	Charles, Tex.
Shipley	Taylor, N.C.	Winn
Shoup	Thompson, N.J.	Wolff
Shriver	Thomson, Wis.	Wright
Shuster	Thone	Wyatt
Sisk	Thornton	Wydler
Skubitz	Tiernan	Wylie
Slack	Towell, Nev.	Wyman
Smith, Iowa	Traxler	Yates
Smith, N.Y.	Treen	Yatron
Snyder	Udall	Young, Alaska
Spence	Ullman	Young, Fla.
Staggers	Van Deerlin	Young, Ga.
Stanton,	Vander Jagt	Young, Ill.
J. William	Vander Veen	Young, S.C.
Stanton,	Vanik	Young, Tex.
James V.	Veysey	Zablocki
Stark	Vigorito	Zion
Steed	Waldie	Zwach
Steele	Walsh	
Steelman	Wampler	

NOES—25

Burleson, Tex.	Gettys	Montgomery
Burlison, Mo.	Gross	Moss
Chappell	Jones, Tenn.	Rousselot
Danielson	Landgrebe	Sikes
Davis, S.C.	Landrum	Symms
Dent	Leggett	Waggonner
Evins, Tenn.	Long, Md.	Whitten
Fisher	Mathis, Ga.	
Flynt	Mills	

NOT VOTING—18

Brasco	Hansen, Idaho	Mayne
Carey, N.Y.	Hansen, Wash.	Powell, Ohio
Chisholm	Hébert	Rarick
Davis, Ga.	Holifield	Rooney, N.Y.
Diggs	Jones, Ala.	Teague
Gray	McSpadden	Williams

So the committee amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. BINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first I would like to compliment the chairmen and the committee on the fine job they have done on this difficult legislation.

I take this time to ask the chairman of the committee to clarify a matter that has to do with possible conflict between two sections of the bill. On page 7 of the bill there is a provision that limits a candidate and members of his immediate family to an expenditure of $25,000, and immediate family is defined in the law to include spouse, brother, sister, child, parent, and so forth; however, in the section we have been talking about earlier, on page 2 of the bill we have a limit on contributions to $1,000.

Is it the chairman's intention that the limit on the candidate's family expenditure of $25,000 is the controlling section as far as members of a candidate's immediate family are concerned?

Mr. HAYS. That is the intent. That is the controlling section, and if the members of the immediate family pool their resources to give $25,000, that is it. But, it does not say that any one of them can give, if there were five in a family, one can give $21,000 and the others are limited to $1,000 apiece. It is a pooling affair.

Mr. BINGHAM. I thank the chairman.

The CHAIRMAN. Are there additional eligible amendments to title II? Are there committee amendments to title III?

Are there eligible amendments to title IV?

COMMITTEE AMENDMENT OFFERED BY MR. HAYS

Mr. HAYS Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. HAYS: Page 79, line 14, insert "(1)" immediately after "(b)".

Page 79, line 15, strike out "407,".

Page 79, immediately after line 16, insert the following:

(2) The amendment made by section 407 shall apply with respect to taxable years beginning after December 31, 1971.

Mr. HAYS. Mr. Chairman, this is a clarifying amendment to an amendment we had in the bill on the tax return, where there is no income. All this does is make it apply to any taxable year after the calendar year 1971, which is this taxable year.

Therefore, it is just to wipe out the slate totally which we intended to wipe out.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Ohio (Mr. HAYS).

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. FRENZEL

Mr. FRENZEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRENZEL: Page 53, strike line 17 and all that follows down through page 61, line 4.

Page 61, line 6, strike out "407" and insert in lieu thereof "406".

Page 61, line 15, strike out "408" and insert in lieu thereof "407".

Page 78, line 5, strike out "409" and insert in lieu thereof "408".

Page 79, line 11, strike out "410" and insert in lieu thereof "409".

Page 79, line 15, strike out "408, and 409" and insert in lieu thereof "and 408".

Mr. FRENZEL (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRENZEL. Mr. Chairman, this amendment is very simple in intent. It strikes from the bill the provision that provides for Federal financing of national party nominating conventions. The bill, as it is before us, provides that the party conventions will be financed out of the public Treasury in the amount of $2 million for each of the major parties. In addition, it provides that either party may spend in excess of the $2 million which they receive from the taxpayers' funds.

Mr. Chairman, it is my strongly held belief that the Federal Government has no business controlling national party nominating conventions; that it should neither tell the parties of this country how much they can spend, nor should it give them any amount of money to spend. Financing can only lead to control, and we do not need Government control of either of our two fine parties.

Mr. Chairman, this is a fundamental philosophical point. The parties belong to the people. The parties have been free of the Government. Here, unless we adopt my amendment, we are now attaching them to the bureaucracy. We would be making them a part of the official Government establishment.

We would be, in fact, nationalizing the political parties of this great country. Therefore, I believe that it is absolutely essential that this portion be stricken from the bill.

I hope the Committee will support my amendment, Mr. Chairman.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we all now know that Presidential nominating conventions, even as our Presidential primary elections, are an essential part of the process of electing an American President, as important in their own way as is the general election in the fall.

I would point out, in urging rejection of this amendment, that we already have public financing of national Presidential nominating conventions in this country because most of the money that finances these conventions comes from tax deductions for advertising, deductions that are taken by various business and labor groups for advertisements published in the convention programs that are distributed at the convention. So the present system is one whereby all of the taxpayers in the country involuntarily pay, through the tax deduction route, for the holding of conventions.

However, under the language in the committee bill, only those taxpayers who voluntarily participate in the dollar check-off participate in supporting the public financing of our two national nominating conventions.

A second point I would like to make, Mr. Chairman, is that the provision in the committee bill for the public financing of Presidential nominating conventions is the recommendation of the Bipartisan Commission on Convention Financing. This is not a partisan matter.

The third point I would like to make, Mr. Chairman, is that utilization of public financing is voluntary on the part of the political parties. A political party is not mandated to receive public funds from the dollar check-off system, and if it does not wish to do so, it can use up to $2 million in private funds to finance its convention.

Mr. Chairman, it seems to me that if we retain the language in the committee bill, both with respect to Presidential nominating conventions and Presidential primaries, we shall be filling out the initiative that Congress undertook in 1972 in providing that, beginning in 1976, we shall have public financing of Presidential general elections.

Surely, the events which are plaguing and afflicting all of the people of the United States now, Democrats and Republicans and Independents, in respect of the events associated with the 1972

election ought not to return to plague and afflict us once more.

Let us vote down this amendment.

Mr. ANNUNZIO. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Illinois.

Mr. ANNUNZIO. Mr. Chairman, I want to associate myself with the remarks of the gentleman from Indiana and to compliment him for the work and time and effort that he was devoted in committee on this particular public financing section of the bill.

Public financing—and we all are acquainted with the term—is an idea whose time has come. We must recognize it.

We are not spending money out of the public treasuries. As I pointed out yesterday, over $60 millions will be checked off by the American taxpayers. They are saying to the Members of the Congress, "We are checking this money off because we want you to spend this money so that we can have the type of election and the type of conventions in America that will reduce the pressure of the big-money interests in this country."

Mr. Chairman, I therefore urge the defeat of the amendment of the gentleman from Minnesota, because the American people have said to us, in giving us this responsibility: "Give us public financing and give us the type of public financing that will insure elections in a free and in a democratic system."

Mr. BRADEMAS. Mr. Chairman, I thank the gentleman from Illinois for his contribution.

I will conclude by saying that, as we all know, Mr. Chairman, we are in the midst of a week which is probably historic for the future of our country in respect of the Presidency of the United States. Let us take advantage of that historic situation and make a change for the better in the financing of our Presidential elections.

Mr. Chairman, I hope the amendment is rejected.

Mr. ROUSSELOT. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Minnesota (Mr. FRENZEL).

I wish to make this brief statement: The reason I feel this amendment is most appropriate is because national political conventions have been in the past clearly outside the realm of government and should be. To believe for one moment that by this kind of public financing out of the U.S. Treasury that we are being fair to the small political party or the so-called potential poor-boy Presidential candidate, I think, is a joke. My belief is that because this is a highly discriminatory portion of the present bill H.R. 16090 in favor of the major parties of this country, this approach is wholly unfair to small minority parties. To use public funds to give total advantage to the two major parties to have convention extravaganzas is, I think, a major disgrace to the concept of civil rights.

Mr. FRENZEL. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I yield to my colleague, the gentleman from Minnesota.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman for yielding.

I wish to point out, in response to a previous speaker who indicated that this money was somehow blessed because it was checked off on an income tax form, that there is no money that anyone has given because of the checkoff.

The checkoff simply means that that particular person thinks that we should spend money on public financing. That person does not give $1 extra of his own money, and that person is out numbered by those people who did not check off.

There is no fund. There is simply a paper amount of money. We have not reserved anything; we have drawn funds directly from the Federal Treasury.

In effect, what someone who is participating in the checkoff is saying is: "I want to use somebody else's money to finance political conventions."

Mr. Chairman, I think the gentleman for yielding.

Mr. ROUSSELOT. Mr. Chairman, I thank the gentleman for his comments, and I hope my colleagues will be persuaded that this is a highly discriminatory provision in the bill. It should be stricken, as the gentleman from Minnesota is trying to do, I think, very persuasively. I urge a vote for the Frenzel amendment.

Mr. HUDNUT. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I would be glad to yield to my colleague, the gentleman from Indiana.

Mr. HUDNUT. Mr. Chairman, I wish to associate myself with the comments of the gentleman from California.

Mr. Chairman, In connection with this debate on the wisdom of deleting section 9008 of H.R. 16090—page 53—regarding payments for Presidential nominating conventions, I am pleased to rise in support of the amendment offered by my distinguished colleague from Minnesota, and would like, in this connection, to share with my colleagues the remarks of Indiana's Republican National Committeeman, the Honorable L. Keith Bulen, made before the Republican National Committee on April 26, 1974. They are as follows:

REMARKS BY L. KEITH BULEN

If there ever was a critical time in the history of our party when the responsibilities of our party stewardship should weigh heavily upon our conscience and our deliberations, it should be here and now April 26, 1974.

For the highest elected national leadership of a party that advocates decentralization of the Federal Government, the free enterprise system, self reliance, and individual citizen responsibility; to consider turning their party conventions over to the Federal Government to finance and direct seems to me incredible.

The seriousness of the present circumstances has compelled me to say that which I should have said long ago and that which I know to be right.

In spite of the affection and high regard in which I hold each and every one of you, particularly our national chairman, George Bush, and his three predecessors under whom I have been privileged to serve. The past six years of my personal participation on the R.N.C. and the executive committee has been, in many ways, the most frustrating and depressing years of my adult life.

When I say I feel compelled to speak, I mean it in the literal sense. My self respect and individual sense of worth have been sorely tested all too long, and I need and solicit your indulgence for my own self therapy if for no mutual benefit.

I came to this committee in 1968 full of enthusiasm and energies for the task of assisting in building a strong Republican National party organization the only way I knew, precinct by precinct, ward by ward, township by township, county by county, district by district, and State by State. I felt a strong commitment to serve meaningfully in accomplishing what I prayfully hoped was our Nation's destiny which required, in my heart and mind, a strong, effective, and ongoing Republican National party in fact, rather than one of paper or fiction.

One, encompassing and embracing hundreds of thousands of selfless, well motivated Americans from all walks of life sharing the toil and unheralded self satisfaction that comes from providing good responsive Government for all citizens and to know that you have done your part in achieving such a lofty pursuit. My zeal was almost evangelic, as I had always felt that politics was the highest of callings and the vehicle by which I might be of the most service to my fellow man.

Unfortunately, my service on the committee has not fulfilled my desire to serve, and has in fact caused me considerable remorse by reason of what, in my opinion, has been a lack of effectiveness that almost approaches failure and in contravention of the trust and confidence that I felt had been reposed in me by my constituents in Indiana who deserve better treatment.

Not only have I failed by inaction and silence to be a force to strengthen my party nationally, but I despair that I have unwittingly, by such nonfeasance, been responsible for not meeting the challenge that was ours. In candor, I am uncertain but that our party is now worse off than it was, and that I will not have left it better for my endeavors, which is a self-imposed requirement necessary to justify my very existence.

At this particular juncture, which in many ways seems almost as a dream that is fastly becoming a nightmare, I now find myself participating in deliberations which can certainly be the death knell for the two party system in this country. Such an aberration is abhorrent to me.

To turn my party and its primary function over to a Democrat Congress or to any Congress for that matter is unthinkable. I know of no single issue in my political recollection about which I feel so strongly. Federal campaign financing is indeed repugnant to my sense of a free and independent elective process, but for the R.N.C. to now seriously consider Federal financing of our primary party obligation, knowing the inevitability of restrictions and directives that invariably flow therefrom, is, in my judgment, a complete repudiation of our elected responsibilities to preserve and strengthen the national party.

Certainly my State of Indiana has no stomach for such abdication of party responsibility and has unanimously, as a State central committee, adopted a resolution in complete opposition to such a fatal course of action. Indiana, as an alternative, suggests a more austere convention format that we can afford, and/or we urge a further exploration of the possibility of private foundation grants, and/or individual or business tax credit or deduction consideration for convention contributors, and/or media related facilities or expenses be borne by the

media, and/or sale of reserved seating, boxes, and in any event, Indiana offers to bear its share of any convention assessment, but respectfully demands the integrity of the nomination processes of our party convention be preserved and strengthened, not diluted or obviated.

We wish no part of selling our birthright or party heritage. Our Hoosier Republican workers often virtually risk their very lives in an effort to have honest elections in some areas of our State. We members of the R.N.C. from Indiana could not return to face those brave ladies and gentlemen after having participated in demeaning their commitment to persevere in face of adversity.

This is not the time, regardless of our difficulties or embarrassment, when we should collectively seek only the more comfortable or convenient option. The ultimate stakes are too important. As a matter of fact, this is indeed precisely the time to take off our coats, roll up our sleeves, lift up our eyes, keep our cool, and proceed realistically to do the nitty gritty job of permanent party building that has too long been delayed by the R.N.C.'s preoccupation with congressional, senatorial, and presidential campaigns, which at the most, have provided only incidental side benefits to actual party building and, on occasion, have done grave party harm.

It is no philosophical bent that causes me to make my remarks but from the experiences accumulated over some thirty-five years of running campaigns and from an immeasurable investment in and commitment to a free and unfettered strong two party system as the only workable underpinning for our form of Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. FRENZEL).

The question was taken; and the chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROUSSELOT. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 223, noes 193, not voting 18, as follows:

[Roll No. 465]

AYES—223

Abdnor	Clausen,	Fisher
Anderson, Ill.	Don H.	Flynt
Andrews,	Clawson, Del	Forsythe
N. Dak.	Cleveland	Fountain
Archer	Cochran	Frelinghuysen
Arends	Cohen	Frenzel
Armstrong	Collier	Frey
Ashbrook	Collins, Tex.	Froehlich
Bafalis	Conable	Gilman
Baker	Conlan	Ginn
Bauman	Conte	Goldwater
Beard	Crane	Goodling
Bennett	Cronin	Green, Oreg.
Blackburn	Daniel, Dan	Gross
Bray	Daniel, Robert	Grover
Breckinridge	W., Jr.	Gubser
Brinkley	Davis, Wis.	Guyer
Broomfield	de la Garza	Haley
Brotzman	Delaney	Hammer-
Brown, Mich.	Dellenback	schmidt
Brown, Ohio	Dennis	Hanrahan
Broyhill, N.C.	Derwinski	Harsha
Broyhill, Va.	Devine	Hastings
Buchanan	Dickinson	Hébert
Burgener	Dorn	Hechler, W. Va.
Burke, Fla.	Downing	Heinz
Burleson, Tex.	Dulski	Hillis
Butler	Duncan	Hinshaw
Byron	du Pont	Hogan
Camp	Edwards, Ala.	Holt
Carter	Erlenborn	Horton
Cederberg	Esch	Hosmer
Chamberlain	Eshleman	Huber
Chappell	Findley	Hudnut
Clancy	Fish	Hunt
Hutchinson	Nelsen	Spence
Jarman	Nichols	Stanton,
Johnson, Colo.	O'Brien	J. William
Johnson, Pa.	Parris	Steed
Jones, N.C.	Passman	Steele
Jones, Okla.	Pepper	Steelman
Kemp	Perkins	Steiger, Ariz.
Ketchum	Pettis	Steiger, Wis.
King	Poage	Stephens
Kuykendall	Powell, Ohio	Stuckey
Lagomarsino	Price, Tex.	Symington
Landgrebe	Pritchard	Symms
Landrum	Quie	Talcott
Latta	Quillen	Taylor, Mo.
Lent	Railsback	Thomson, Wis.
Lott	Randall	Thone
McClory	Rees	Towell, Nev.
McCloskey	Regula	Treen
McCollister	Rhodes	Vander Jagt
McDade	Rinaldo	Veysey
McEwen	Roberts	Waggonner
McKinney	Robinson, Va.	Walsh
Madigan	Robison, N.Y.	Wampler
Mahon	Rogers	Ware
Mallary	Roncallo, N.Y.	Whitehurst
Mann	Rousselot	Whitten
Maraziti	Runnels	Widnall
Martin, Nebr.	Ruppe	Wiggins
Martin, N.C.	Ruth	Wilson, Bob
Mathias, Calif.	Sandman	Winn
Mayne	Sarasin	Wyatt
Michel	Satterfield	Wydler
Milford	Scherle	Wylie
Miller	Schneebeli	Wyman
Minshall, Ohio	Sebelius	Young, Alaska
Mitchell, N.Y.	Shoup	Young, Fla.
Mizell	Shriver	Young, Ill.
Moorhead,	Shuster	Young, S.C.
Calif.	Sikes	Zion
Mosher	Skubitz	Zwach
Myers	Smith, N.Y.	
Natcher	Snyder	

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Abzug	Fulton	Mollohan
Adams	Fuqua	Montgomery
Addabbo	Gaydos	Moorhead, Pa.
Alexander	Gettys	Morgan
Anderson,	Giaimo	Moss
Calif.	Gibbons	Murphy, Ill.
Andrews, N.C.	Gonzalez	Murphy, N.Y.
Annunzio	Grasso	Murtha
Ashley	Green, Pa.	Nedzi
Aspin	Griffiths	Nix
Badillo	Gude	Obey
Barrett	Gunter	O'Hara
Bell	Hamilton	O'Neill
Bergland	Hanley	Owens
Bevill	Hanna	Patman
Biaggi	Harrington	Patten
Biester	Hawkins	Peyser
Bingham	Hays	Pickle
Boggs	Heckler, Mass.	Pike
Boland	Helstoski	Podell
Bolling	Henderson	Preyer
Bowen	Hicks	Price, Ill.
Brademas	Holtzman	Rangel
Breaux	Howard	Reid
Brooks	Hungate	Reuss
Brown, Calif.	Ichord	Riegle
Burke, Calif.	Johnson, Calif.	Rodino
Burke, Mass.	Jones, Ala.	Roe
Burlison, Mo.	Jones, Tenn.	Roncalio, Wyo.
Burton, John	Jordan	Rooney, Pa.
Burton, Phillip	Karth	Rose
Carney, Ohio	Kastenmeier	Rosenthal
Casey, Tex.	Kazen	Rostenkowski
Clark	Kluczynski	Roush
Clay	Koch	Roy
Collins, Ill.	Kyros	Roybal
Conyers	Leggett	Ryan
Corman	Lehman	St Germain
Cotter	Litton	Sarbanes
Daniels,	Long, La.	Schroeder
Dominick V.	Long, Md.	Seiberling
Danielson	Lujan	Shipley
Davis, S.C.	Luken	Sisk
Dellums	McCormack	Slack
Denholm	McFall	Smith, Iowa
Dent	McKay	Staggers
Dingell	Macdonald	Stark
Donohue	Madden	Stokes
Drinan	Mathis, Ga.	Stratton
Eckhardt	Matsunaga	Stubblefield
Edwards, Calif.	Mazzoli	Studds
Eilberg	Meeds	Sullivan
Evans, Colo.	Melcher	Taylor, N.C.
Evins, Tenn.	Metcalfe	Thompson, N.J.
Fascell	Mezvinsky	Thornton
Flood	Mills	Tiernan
Flowers	Minish	Traxler
Foley	Mink	Udall
Ford	Mitchell, Md.	Ullman
Fraser	Moakley	Van Deerlin
Vander Veen	Wilson,	Wright
Vanik	Charles H.,	Yates
Vigorito	Calif.	Yatron
Waldie	Wilson,	Young, Ga.
Whalen	Charles, Tex.	Young, Tex.
White	Wolff	Zablocki

NOT VOTING—18

Blatnik	Diggs	Rooney, N.Y.
Brasco	Gray	Stanton,
Carey, N.Y.	Hansen, Idaho	James V.
Chisholm	Hansen, Wash.	Teague
Coughlin	Holifield	Williams
Culver	McSpadden	
Davis, Ga.	Rarick	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FRENZEL

Mr. FRENZEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRENZEL: Page 61, strike line 14 and all that follows down through page 78, line 3.

Page 78, line 5, strike "409" and insert in lieu thereof "408".

Page 79, line 11, strike "410" and insert in lieu thereof "409".

Page 79, line 15, strike out "408, and 409" and insert in lieu thereof "and 408".

Mr. FRENZEL. Mr. Chairman, by the adoption of the last amendment this House has saved the taxpayers $4 million.

This amendment which I am now proposing will enable us to save many times that sum. This amendment strikes from the bill the provisions that provide for matching public funds for Presidential primaries. That is all it does.

I think all of us know the arguments for and against public financing. I am prepared to make them more so perhaps than the rest of the Members, but I would rather concentrate on one particular aspect of this amendment.

The primaries, I believe, should be open to any candidate who wishes to become the President of the United States; but they have become, because of the concentration of media attention, the exclusive province of Members of the other body of this Congress. So every 4 years we witness the quadrennial ritual of Senators absenting themselves from their duties to campaign for 6 months for the Presidency while the Congress is in session. If we supply public funds to encourage this kind of activity, we are simply giving the Senators a paid vacation, instead of one which they have to pay for themselves.

Now, in addition to doing this for the other body, if we agree to the Presidential public financing, we are contributing to the destruction of the political parties, for with public money, who needs party money, who needs party discipline and who needs public alliance?

We will have more candidates for more dollar spending for elections, and the party system will deteriorate. At the same time, we will discourage third parties because there is a very high entry threshold. Candidates must raise a great deal of money before they can qualify for the matching fund. Therefore, a new party, or third party, is beat before it starts, and we are again left with the usual line up of candidates and who are they? Members of the other body, of course.

More than this, however, as I pointed out when the House wisely adopted the last amendment, by adopting this amendment we can bring back to the people some control over their election processes.

Every ounce of Federal financing means another step forward toward giving control of elections to the bureaucracy. Every bit of Federal financing takes the elections a little farther from the people and a little more tightly under the control of the bureaucracy.

Mr. Chairman, I do not want to belabor this point. I only want to thank the Members for their enlightened vote on the last amendment and urge a vote for this amendment, which will eliminate the matching Presidential primary raid on the public purse to support the candidacy of people seeking our Presidency in future years.

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let us consider where we are this afternoon.

We are on the floor of the House of Representatives, waiting to go to our television sets a little later tonight for an event that is rumored to be one that will have great significance for the people of this country and indeed, all of the people of the world.

We are all anticipating the probable resignation of the President of the United States. And why? Because we have witnessed over the last several months, month after month, revelations of the most spectacular lawlessness and corruption in the 200 years of the history of this country.

And what have we just witnessed in respect of the second stage of an effort begun by Congress in 1972 with the adoption of legislation providing for the public financing of Presidential general elections?

What have we just witnessed in respect of an opportunity that this Congress now has to clean up the kind of Presidential election revelations about which have brought the downfall of a man who was elected overwhelmingly 2 years ago?

Mr. Chairman, I will tell you. We have just witnessed the spectacle of his party voting by 177 to 7 to keep the same old system by which we have been financing Presidential elections in this country.

Mr. Chairman, it seems to me that upon that party—and its Representatives in Congress—there should now be some sense of public responsibility to join with those on this side, even as some of you on that side have already joined, to help clean up Federal elections in this country.

So, Mr. Chairman, I hope that we will reject this effort to strike from the bill the provision for public financing of Presidential primary elections.

This provision does not raid the Treasury of the United States. The moneys come from the funds freely, voluntarily designated by the taxpayer to go into the dollar checkoff fund.

So, Mr. Chairman, I would suggest, in the most direct way possible, to my friends on the minority side of the aisle that if they vote on this amendment as they did on the last amendment, the American people will reject them at the polls in November even as the American people are rejecting the present President of the United States.

The time has come to reduce the influence of big money in our Presidential elections—and this means primaries and national conventions as well as the general elections.

I urge the defeat of the amendment of the gentleman from Minnesota.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rather thoroughly agree with the gentleman's remarks. I might remind those who think that the taxpayer is being saved money by the passage of the last amendment are wrong. The conventions in the future, as in the past, will be financed by advertisements which are deductible, which are the people's money, in order to finance them.

I really am bitterly disappointed, and certainly hope that the current amendment will be defeated.

Mr. BRADEMAS. Mr. Chairman, I thank my colleague from New Jersey for his contribution. I hope my friends on the minority side will seize upon this amendment as an opportunity to redeem themselves from their vote on the previous amendment.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield first to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Chairman, I thank the gentleman for yielding.

I do resent the remarks of the previous speaker in the well with reference to ITT, and I think I have the standing in this House to do so.

Both our national parties will be holding conventions in 1976 and I do not expect the the Democratic Party, the gentleman's party, will be involved in any ITT business in that next general election.

I think another answer might be that we all might well consider the frivolousness, in many cases, and the large expenditures that go into national party conventions. Perhaps there is a better way of choosing our national candidates in the future.

Mr. ANDERSON of Illinois. Mr. Chairman, and members of the committee, I, too, join my friend, the gentleman from New York, in deeply regretting the kind of admonitory remarks the gentleman from Indiana, the distinguished deputy majority whip, has seen fit moments ago to deliver from the well of this House.

This is a sad day in the history of our country, assuming, as we all do, the events that will take place later this evening.

There is not anyone in this House, on either side of the aisle, who does not deeply deplore and regret the events that took place in the last Presidential campaign that in some respects are responsible for what we contemplate today.

However, I am not going to stand before this House and before the American people and apologize for the vote that I just made in defeating the effort to finance conventions through the checkoff, without any matching requirement.

I think that the gentleman from Indiana and many on this side of the aisle know that I have labored ceaselessly for many months now to inject a certain measure of public financing into the political process. I sought to do that along with the gentleman from Arizona (Mr. UDALL), the gentleman from Washington (Mr. FOLEY), the gentleman from New York (Mr. CONABLE) and many others, 40 in all, who have cosponsored an amendment that we hope yet to offer this afternoon that would provide, with respect to small contributions of $50 or less, that there could be a matching payment out of the Federal Treasury, out of the checkoff fund, not directly out of general funds, but out of the checkoff funds that have previously been established.

To suggest, however, that there is some shame that should be associated with our vote in saying that we did not want to inject total public financing into the financing of national conventions is to confuse the issue entirely.

I talked to the distinguished national chairman of my party, a former colleague of ours, a man of whom we are all proud, Mr. George Bush. His objection to total public financing of these national conventions was simply on the ground that he felt that it might lead to Federal regulations; if they were totally financed from Federal funds, it might lead to regulation that would extend even to the matter of delegate apportionment.

We now, of course, have a very important case that is pending in the Federal courts where we seek to adjudicate that issue. Therefore, I want to make it clear that there are some of us on my side of the aisle who in a very few minutes are going to support a matching amendment. We are all for encouraging small contributions of under $50 to eliminate big money and special-interest money from the financing of Congressional and Senatorial campaigns.

I hope the gentleman from Indiana will join me in supporting that amendment. I hope a majority of those on his side of the aisle will join us in supporting that amendment. But please do not leave the record in the shape in which it stands now, that somehow by voting against the amendment or voting for the amendment of the gentleman from Minnesota (Mr. FRENZEL), we have subscribed to the abuses that did mar the 1972 campaign.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. Since I have mentioned the gentleman's name, I will yield to him.

Mr. BRADEMAS. Mr. Chairman, I thank the gentleman. The gentleman knows the high respect I have for him.

Earlier in the debate I referred to his outstanding contributions to shaping the climate for a worthwhile campaign reform bill.

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the gentleman.

Mr. BRADEMAS. But I want to say to my friend, the gentleman from Illinois, that I have here a letter which I did not mention in the debate on the last amendment. I do now think it appropriate, however, to mention the letter, in view of the citation by the gentleman from Illinois of the views of the distinguished Republican National Chairman, a former colleague of ours in this body, who said, in a letter of January 29, 1974:

> Bob Strauss and I appointed a bipartisan committee to look into new ways of financing the national conventions.
>
> One of the thoughts that came out of the first meeting was that the checkoff for political contributions should be amended so that the first $2 million go to the financing of the conventions.

Mr. Bush goes on:

> Frankly, it has an awful lot of merit to me. Much of the cost of the conventions has been financed through selling convention ads to corporations . . .

The CHAIRMAN. The time of the gentleman from Illinois (Mr. ANDERSON) has expired.

Mr. ANDERSON of Illinois. Mr. Chairman, I ask unanimous consent that I be allowed to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. HAYS. Mr. Chairman, reserving the right to object—and I do not intend to object—there are a lot of Members who have made commitments for this evening, and I am going to object to any further extension of time after this in the interest of trying to get this finished.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. Mr. Chairman, before I yield, I would appreciate it if the gentleman would then leave me 1 minute, because I have something in addition to cover.

Mr. BRADEMAS. Of course.

Mr. ANDERSON of Illinois. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I simply want to say this—and I will spell this out further in the revision of my remarks—Chairman Bush endorsed this idea earlier. I was advised of that endorsement when I supported the amendment in good faith. I must say that for him to be turning around on a dime now and in effect leave us divided in such a partisan fashion on this campaign reform bill is not fair.

Mr. ANDERSON of Illinois. Mr. Chairman, let me reply to the gentleman's statement.

I do not challenge his good faith in offering the amendment, but let me make it clear that in the conversation I had with the distinguished national chairman of my party as recently as a week ago he explained to me at the time this proposition was originally offered he did not take into consideration the impact that the adoption of such an amendment might have on the court case that is now pending with respect to the apportionment of delegates during the 1976 conventions. He does not want to jeopardize the decision in that case and inject a possible Federal control of our national conventions.

That ought to be of as much concern on this side of the aisle as it is on my side of the aisle. That is the reason why we took the position we did on the Frenzel amendment, not because we were subscribing to anything in the way of illicit or unsavory practices with respect to the financing of national conventions or campaigns.

Mr. DENNIS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we always play politics kind of rough in the State of Indiana, and I suppose it is about par for the course that my colleague, the gentleman from Indiana (Mr. BRADEMAS), succeeded in bringing this debate down from the high levels of alleged statesmanship in which it has been wandering to the ordinary partisan level which one might normally expect from the other side of the aisle.

But since he has done so, and hoping to retreat to a slightly more statesmanlike stance, let me point out a couple of things which, in my sincere opinion, are the real problems here, problems which we have not bothered to face and which, I may say to the gentlemen on the other side of the aisle, they have not had the guts to face and have not had any intention to face.

We are taking into consideration a reform bill here, as I had occasion to note yesterday, as did some other Members, under a lousy gag rule where one cannot even put in an amendment to the bill.

What amendments can we not put in? Well, we cannot put in an amendment which will reach the fact, for instance, that about half the Members over there are here thanks to involuntary union dues collected from people who have to pay them in order to work; and then they channel them into political action committees and use them to elect Members of Congress.

Where do we get around to the point in this bill of offering an amendment on that subject, I would like to ask the Members?

Mr. BRADEMAS. Mr. Chairman, will my friend, the gentleman from Indiana, yield?

Mr. DENNIS. No, Mr. Chairman, I will not yield right now. I have something else I want to say.

The trouble with this country and the reason we have special interest money running it, both from business—and we do—and from milk funds, as well as from labor and from everybody else, is that we have made the Government too big and too powerful, and every single person in this country who has two nickels, or a business, or a farm, has to come down here and beg for permission to live. And naturally they try to pay the bureaucrats and the politicians off.

Who did that? The party on the other side of the aisle, for the last 30 years, did that.

Now, the President of our party who, unfortunately, perhaps—learned your lessons too well, is about to pay for your sins. And you get up here and make fun and gloat about it in this sad hour of the Union. I am sorry to see it done.

I yield back the balance of my time.

Mr. HAYS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am delighted that the gentleman from Indiana (Mr. DENNIS) is able to get this debate on such a high plane, and I want to stay right on that high plane with the gentleman.

I noticed he used the word "retreat," and I would say that he has had some good experience in retreating lately. I am only sorry that he did not get to retreat on TV, like he made his defense on TV.

But, Mr. Chairman, somehow or other I have been getting the impression all day—and maybe we got a preview of it here from the gentleman from Indiana—I have been getting the impression that we are going to hear a speech at 9 o'clock tonight which is somehow or other going to be blamed on the Democrats for the predicament the President is in. And that is what the gentleman from Indiana said.

I have personally felt very sorry for Mr. Nixon, and I still do. I would not be any party to any hounding him after he retires or resigns from office. But I just hope that those folks over there do not think for one minute that we are going to let you get away with blaming us somehow for all of the people that are in the penitentiary and who are going to the penitentiary, and who will go to the penitentiary.

I have counseled with candidates for Congress on our side not to talk about Watergate because there are plenty of other issues. But if the gentleman from Indiana wants to make that the issue, well, I suppose we can rise to that high plane the gentleman is talking about and debate it with him. I would just as soon that we did not. I do not really think it has any place here.

We are going to decide whether or not we have public financing for primaries. We are going to decide whether we have public financing for the Presidential race. And the gentleman from Illinois (Mr. ANDERSON) who is against it on the one hand, is for it on the other, and we will have an amendment from him and the gentleman from Arizona (Mr. UDALL) to extend it to Members of the House and Senate. And I am going to fight them as hard as I know how.

I have abided by the will of the House, and I will stand by the will of the House in the conference.

The House decided it wanted a $60,000 limitation, and I am going to stand by that. The House decided it did not want the conventions financed, which I think was a mistake. My God, if you took a look at either one of them in November you might wish the Federal Government did regulate them. I guess the reason most people on our side voted against it was they were afraid that the same

kind of people who took over the Miami convention would do it again, and they did not want to have any of their money in it. I guess that was the general motivating factor. But let us decide it, and vote our conscience, and abide by it.

I do not really mind a little rough debate now and then. And as I go back and read the debates in the time of Andrew Jackson and in the time of Thomas Jefferson, and in the time of the Adamses and then look at the statement now, I can see the difference.

If you say something if you think someone in this House is an idiot, you cannot say you think that because that is not gentlemanly conduct. They used to say a lot worse things than that about people in the old days, and the Republic has survived. I am not saying I think there is anyone who is that in the House, but there would be a way to get around it if one wanted to.

But what I am saying and what I finally want to say is, let us leave the partisanship out of it, and let us vote on the merits.

As chairman of the committee and as one of the conferees, I am going to try to uphold whatever the majority of this House wants. I hope that this experiment—and it is an experiment—in public financing and a voluntary checkoff, which is a referendum on the primary and on the Presidential election, will stand. I am not willing to go any further than that until we see how it works out in that instance.

Mr. CONLAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not often speak on the floor here, but I have been listening to the comments on both sides these last few minutes and am moved to speak. I cannot help but think as a newcomer to this body that maybe the happenings of the last weeks and the last days might bring some sober reappraisal to all of us. Some of you who have been here for years know the tremendous accumulation of power that has been created in the Central Government here in Washington.

The gentleman from Indiana spoke of the special interests and the favoritism that seeks to come into campaign financing; but the other gentleman from Indiana put it very aptly when he said, "Why does that money come in?" It comes in because this Congress has created within its will and its authority, a bureaucracy that has the power to give special favors and the power to remove bureaucratic heavyhandedness, so that private individuals can have fair treatment from that bureaucracy.

I have listened to some of the older Members who have been here for years and some of you middle-aged Members, who say, "10 years ago we had time for reflection on major issues. We had time to think through issues. We could sit down, and we could read a book, and we could think about world affairs. We could have real input into decisionmaking. We could think about the foreign policy and the domestic directions of this country." But now they say in private conversations, "We have become ombudsmen; we have become paper shufflers; we are on a treadmill." You spend so much time answering your mail and seeking Federal handouts for your constituents because of the tremendous increase in power that the Federal Government has obtained over so many people's lives. People can hardly go to the toilet today without getting a Federal permit.

And so the public comes to you to interface and intercede between the bureaucracy and them. Does one wonder why the unethical money is coming in? Does one wonder why people try to buy in? Does one wonder why Congressmen are tempted and have to say no? Sometimes the temptations take hold, history has shown.

I think it is time for this body to begin thinking that maybe it has created over the years, as the gentleman from Indiana (Mr. DENNIS), has said, a situation which invites the corruption that we have seen too much of. And maybe the time is here to redress and correct that problem by redirecting power down to the States and the communities where the people can interface with a local bureaucracy, with their own resources, rather than having so much of it drained off here in Washington where the money is being dissipated through a tremendous overhead, and where the citizens get only 60 cents on the dollar back. Then to get out from under control of Federal controls and then to get a fair break, they have to try to buy in somewhere to get a fair shuffle.

That type of situation, Mr. Chairman, makes us need to rethink. I believe if the happenings of the last 18 months have brought us a better awareness of what has caused corruption and dishonesty, then we can rise above the pedestrian problems we are getting into, and be a Congress that can think through the critical areas of national concern, and leave some of the regulation and financing of government at the local level.

Then the public will have more respect for their institutions; they will have more respect for the Congress; the temptations here will be less for you, and the level of nobility and morality of this country might rise once again to the high level the public expects of it, and where it should be.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment. I am as sorry as the gentleman from Indiana (Mr. BRADEMAS) that we adopted the most recent amendment offered by the gentleman from Minnesota. The committee had attempted in good faith to reduce the rather shameful reliance that both parties—both parties—have had upon a little handful of big contributors to the national campaigns, to the national conventions and to the maintenance of the national parties.

In 1967 I wrote an article for Harpers magazine, in the research for which I did a study of the financing of the national conventions of both parties in the preceding election, in the year 1964. A substantial part of the money raised for those national conventions in that year came from the publication of fancy brochures with ads selling for $10,000 to $15,000 a page. The Democrats entitled their book "Toward an Age of Greatness" and the Republicans called theirs "Congress, the Heart Beat of Government."

But now let us look at who bought those ads. Were these average citizens, were they plain-vanilla people trying to establish their rights of citizenship and have some voice in the selection of the two candidates who would be presented to the voters? No. They really were not.

Eleven of the top twenty-five contractors in the Nation purchased those ads in the books and, and they are some of the same people who were called upon as recently as 1972 to contribute money to the enormously costly job of trying to run a Presidential campaign. Many of them were corporations legally prohibited from contributing to campaigns, but they were able to buy ads in these books whose proceeds went to the same general purpose, and they deducted the payments as business expense.

Six airlines bought ads. Some were the same as have recently been found guilty of contributing illegally in the 1972 campaign. Three railroads bought ads. The Tennessee Gas Transmission Co. bought ads. Many other corporations and businesses regulated by the Government put up the money for the two parties, both of them, to conduct our national conventions through which we made our national choice of the two candidates between whom the American public would have a choice.

Now it is easy enough for the average American to say politics is corrupt and filthy and that he does not want to be partisan or be a party to it. He may even pride himself that he chooses not the party but the man. But let us look at the situation. That citizen is confronted with the choice already made for him. He just chooses between two preselected men.

And how does a candidate quality to be seriously considered by the convention? By raising enough money—much of it from huge individual contributors—to finance a series of terribly costly primary campaigns. It has become a rich man's game.

This provision in the bill is designed to encourage widespread public activity in supporting the candidates of one's own choice in the primaries. In order to qualify for this matching money from the funds created by the $1 individual checkoffs, a candidate in a Presidential primary first would have had to raise $100,000, $20,000 in each of five States, and the bill encourages relatively smaller contributions because it matches moneys contributed in individual donations of $250 and less. It is a good experiment.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. Of course I yield to the distinguished chairman.

Mr. HAYS. It is $5,000 in 20 States.

Mr. WRIGHT. Mr. Chairman, I am sorry I misstated it and I stand corrected. The elucidation made by the gentleman from Ohio improves the point I was trying to make.

All I am trying to say is that, gee, if we are serious about reducing the reliance upon these big contributors who more and more hold the keys to the gates of political opportunity, if we are serious in saying that a candidate for President should not have to be wealthy or a willing ward of the wealthy, then I think we ought to give a fair trial to this provision which the committee has devised.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, I join the gentleman in opposing the amendment of the gentleman from Minnesota (Mr. FRENZEL). I think the time has come for us to see if we can finance Presidential elections by the public finance method.

I think we ought to give it a try and see how it works.

Now, in supporting this provision, that is, Presidential election financing, I do not oppose the amendment, but I think it is important we ought to give this a try.

I rise in opposition to the motion to strike the portions of title IV mandating a program of public financing for Presidential elections.

I realize that this is one of the more controversial sections of this long and intricate bill. I realize that public financing of elections is still a novel idea, even though it was first proposed back in 1907 by a Republican President, Theodore Roosevelt. I realize that we will be plowing new ground here, that we will be testing a new concept.

I do not favor extending public financing to congressional elections at this time. I think we need to float the boat and test the waters a bit before we involve the many hundreds of congressional races in such a new process.

Yet I think we should not be afraid now to make the first step. And I think that the Presidential election process is the place to make it. It is in the Presidenial election that millions and millions of dollars are required. It is in the Presidential election that the role of the little man is struggling the hardest, and has come under the most uncertainty.

We need to restore the role of the common man in our Presidential election process by removing the need of the candidates for this great high office to rely on huge contributions from wealthy interests of every sort. Through its reliance on the dollar-check-off and through its matching formula in the crucial primary elections, the provision for public financing for Presidential elections in this bill does right the balance again. This section clearly restores the individual to his proper role in helping to elect the person to fill the highest office in our land. At least let us try public financing for Presidential elections. Let us see how it can work.

I urge again, therefore, that the motion to strike be defeated.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, if the gentlemen from Texas are serious about trying to experiment, that is a good idea; but under the rule we are forfeited. We do not have the opportunity to limit it to say 5 years or 10 years and just try it out, because the closed rule has prevented us from doing that.

Mr. WRIGHT. Mr. Chairman, I would say to the gentleman that Congress could repeal this law if it did not work out as we intend, at any time in the future.

Mr. ROUSSELOT. I have heard that before and the bad laws go on and on. If the gentlemen from Texas are serious about having an experiment, we should have a limitation that it automatically expires at the end of 8 years or something like that.

Mr. WRIGHT. The gentleman would be free to offer such an amendment. But first we certainly should vote down the pending amendment and give this plan a chance.

Mr. ANNUNZIO. Mr. Chairman, I move to strike the requisite number of words. I rise in opposition to the amendment of the gentleman from Minnesota.

I want to join the gentlemen from Texas. When we talk about limitations, we all know the answer is fundamental, we do have an election for the President every 4 years. We are not talking about money from the general revenue fund. We are talking about voluntary contributions, the checkoff system.

The gentleman from Illinois (Mr. ANDERSON) made a statement that he favors matching funds. What we are talking about in this particular section of the bill is matching funds for Presidential primary elections.

It has been amply stated that the minimum requirements are $250 contributions, $5,000, 20 States, $100,000, in order to be eligible to participate in this fund on a matching basis.

To my good friend, the gentleman from California, who serves on Banking and Currency Committee, I have the highest regard for him. I want to point out to him that in this particular section of the bill, that if the money is in the fund it can be used; but if there is no money in the fund, then we are not able to spend any money. The chairman is correct, we are placing public financing on a trial basis.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ANNUNZIO. Yes. I am happy to yield to the gentleman from Ohio.

Mr. HAYS. I am for the trial run and against the amendment. Maybe I should not say any more. I do not want to influence any votes against it; but I think we ought to know if the amendment stays in the bill and my dear friend, the gentleman from Arizona (Mr. UDALL) is a candidate for President, and I understand he has announced that, that I also will be a candidate, because I think the Democrats deserve a choice between the Postal System we have now and the one I would go back to, which was the old-fashioned Pony Express. It got the mail there faster.

Further than that, I think I can raise my money in 20 States quicker than the gentleman from Arizona (Mr. UDALL) can and I will contest him on that.

So I want all of us to know if they support this amendment and the gentleman from Arizona (Mr. UDALL) is a candidate, the country is getting me, too.

Mr. ANNUNZIO. Mr. Chairman, I urge my colleagues in the House to reject the amendment of the gentleman from Minnesota and to support the committee position. It is an idea again, I emphasize, whose time has come.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. FRENZEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROUSSELOT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 253, not voting 18, as follows:

[Roll No. 466]

AYES—163

Abdnor	**Fountain**	Poage
Archer	**Frelinghuysen**	Powell, Ohio
Arends	Frenzel	**Price, Tex.**
Armstrong	**Frey**	**Quie**
Ashbrook	Froehlich	Quillen
Bafalis	Gettys	Randall
Baker	**Goldwater**	Regula
Bauman	**Goodling**	**Rhodes**
Beard	**Gross**	**Robinson, Va.**
Bevill	Grover	Robison, N.Y.
Biaggi	**Gubser**	Rousselot
Bray	Guyer	**Roy**
Brinkley	**Haley**	**Runnels**
Brown, Mich.	**Hammer-**	Ruppe
Brown, Ohio	**schmidt**	**Ruth**
Broyhill, N.C.	Hébert	Sandman
Broyhill, Va.	**Hinshaw**	**Satterfield**
Burgener	Holt	Scherle
Burke, Fla.	**Hosmer**	**Schneebeli**
Burleson, Tex.	**Huber**	**Sebelius**
Butler	Hudnut	Shoup
Byron	Hunt	**Shuster**
Camp	**Hutchinson**	**Skubitz**
Carter	Ichord	Smith, N.Y.
Cederberg	**Jarman**	**Snyder**
Chamberlain	Johnson, Pa.	Spence
Chappell	Jones, N.C.	**Steed**
Clancy	**Kemp**	Steiger, Ariz.
Clausen,	Ketchum	**Steiger, Wis.**
Don H.	**King**	Stephens
Clawson, Del	Kuykendall	Stuckey
Cochran	Lagomarsino	Symms
Collins, Tex.	**Landgrebe**	**Talcott**
Conlan	Landrum	Taylor, Mo.
Crane	**Latta**	Thomson, Wis.
Daniel, Dan	Lent	**Thone**
Daniel, Robert	Lott	Towell, Nev.
W., Jr.	**Lujan**	Treen
Davis, Wis.	**McClory**	Vander Jagt
de la Garza	**McCollister**	**Veysey**
Delaney	McEwen	**Waggonner**
Denholm	**Madigan**	Wampler
Dennis	Mann	**White**
Derwinski	Martin, Nebr.	Whitehurst
Devine	**Martin, N.C.**	Whitten
Dickinson	**Michel**	Wiggins
Dorn	**Miller**	**Wilson, Bob**
Downing	**Minshall, Ohio**	Wyatt
Duncan	Mizell	Wylie
Edwards, Ala.	Montgomery	**Wyman**
Erlenborn	Moorhead,	Young, Alaska
Eshleman	**Calif.**	**Young, Fla.**
Findley	Mosher	Young, S.C.
Fisher	Myers	**Zion**
Flynt	Nelsen	Zwach
Forsythe	**Passman**	

NOES—253

Abzug	**Boland**	Cohen
Adams	Bolling	**Collier**
Addabbo	**Bowen**	Collins, Ill.
Alexander	Brademas	Conable
Anderson,	**Breaux**	Conte
Calif.	Breckinridge	**Conyers**
Anderson, Ill.	Brooks	**Corman**
Andrews, N.C.	**Broomfield**	**Cotter**
Andrews,	Brotzman	Coughlin
N. Dak.	Brown, Calif.	Cronin
Annunzio	Buchanan	**Culver**
Ashley	Burke, Calif.	**Daniels,**
Aspin	Burke, Mass.	**Dominick V.**
Badillo	Burlison, Mo.	**Danielson**
Barrett	**Burton, John**	**Davis, S.C.**
Bell	Burton, Phillip	**Dellenback**
Bennett	**Carney, Ohio**	Dellums
Bergland	**Casey, Tex.**	**Dent**
Biester	**Clark**	Dingell
Bingham	**Clay**	**Donohue**
Boggs	Cleveland	Drinan

Dulski	Long, Md.	Rogers
du Pont	Luken	Roncalio, Wyo.
Eckhardt	McCloskey	Roncallo, N.Y.
Edwards, Calif.	McCormack	Rooney, Pa.
Eilberg	McDade	Rose
Esch	McFall	Rosenthal
Evans, Colo.	McKay	Rostenkowski
Evins, Tenn.	McKinney	Roush
Fascell	Macdonald	Roybal
Fish	Madden	Ryan
Flood	Mahon	St Germain
Flowers	Mallary	Sarasin
Foley	Maraziti	Sarbanes
Ford	Mathias, Calif.	Schroeder
Fraser	Mathis, Ga.	Seiberling
Fulton	Matsunaga	Shipley
Fuqua	Mayne	Shriver
Gaydos	Mazzoli	Sikes
Giaimo	Meeds	Sisk
Gibbons	Melcher	Slack
Gilman	Metcalfe	Smith, Iowa
Ginn	Mezvinsky	Staggers
Gonzalez	Mills	Stanton,
Grasso	Minish	J. William
Green, Oreg.	Mink	Stanton,
Green, Pa.	Mitchell, Md.	James V.
Griffiths	Mitchell, N.Y.	Stark
Gude	Moakley	Steele
Gunter	Mollohan	Steelman
Hamilton	Moorhead, Pa.	Stokes
Hanley	Morgan	Stratton
Hanna	Moss	Stubblefield
Hanrahan	Murphy, Ill.	Studds
Harrington	Murphy, N.Y.	Sullivan
Harsha	Murtha	Symington
Hastings	Natcher	Taylor, N.C.
Hawkins	Nedzi	Thompson, N.J.
Hays	Nichols	Thornton
Hechler, W. Va.	Nix	Tiernan
Heckler, Mass.	Obey	Traxler
Heinz	O'Brien	Udall
Helstoski	O'Hara	Ullman
Henderson	O'Neill	Van Deerlin
Hicks	Owens	Vander Veen
Hillis	Patman	Vanik
Hogan	Patten	Vigorito
Holtzman	Pepper	Waldie
Horton	Perkins	Walsh
Howard	Pettis	Ware
Hungate	Peyser	Whalen
Johnson, Calif.	Pickle	Widnall
Johnson, Colo.	Pike	Wilson,
Jones, Ala.	Podell	Charles H.,
Jones, Okla.	Preyer	Calif.
Jones, Tenn.	Price, Ill.	Wilson,
Jordan	Pritchard	Charles, Tex.
Karth	Railsback	Winn
Kastenmeier	Rangel	Wolff
Kazen	Rees	Wright
Kluczynski	Reid	Wydler
Koch	Reuss	Yates
Kyros	Riegle	Yatron
Leggett	Rinaldo	Young, Ga.
Lehman	Roberts	Young, Ill.
Litton	Rodino	Young, Tex.
Long, La.	Roe	Zablocki

NOT VOTING—18

Blackburn	Diggs	Milford
Blatnik	Gray	Parris
Brasco	Hansen, Idaho	Rarick
Carey, N.Y.	Hansen, Wash.	Rooney, N.Y.
Chisholm	Holifield	Teague
Davis, Ga.	McSpadden	Williams

So the amendment was rejected.

The result of the votes was announced as above recorded.

AMENDMENT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONYERS: Page 51, immediately after line 7, insert the following:

(2) Section 9002(7) (relating to the definition of "minority party") is amended by striking out "5 percent or more but".

And redesignate the following paragraphs accordingly.

Page 51, immediately after line 26, insert the following:

(6) Section 9004(a)(3) (relating to eligibility of candidates of a minor party or a new party) is amended by striking out "5 percent or more of the total" and inserting in lieu thereof "any".

And renumber the following paragraphs accordingly.

Page 54, strike out lines 18 and 19 and insert in lieu thereof the following:

"(2) Minor parties and new parties.—Subject to the provisions of this section the national committee of a minor party and the national committee of a new party

Page 55, line 3, immediately after "election" insert the following:

, or as the number of popular votes received by the candidate for President of the new party received in the current Presidential election.

Page 55, line 10, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 55, line 16, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 56, strike out lines 16 and 17 and insert in lieu thereof the following:

"(2) Minor parties and new parties.—Except as provided by paragraph (3), the national committee of a minor party or a new party

Page 56, line 24, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 57, line 21, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 58, line 15, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 59, line 2, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 59, line 15, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 60, line 2, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 60, beginning in line 9, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Page 60, line 18, strike out "or minor party" and insert in lieu thereof ", minor party, or new party".

Mr. CONYERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Chairman and my colleagues, this is a conforming amendment which would eliminate the provision whereby minor or new political parties must receive at least 5 percent of the national or popular vote to be eligible for public funds.

What this amendment does is to go through all of the places in 15 parts of this bill, which I support, and eliminates the 5 percent requirement.

I would like to explain why I think it is eminently logical and desirable that this body go on record in correcting what perhaps might have been a poor mistake, or an issue not clearly considered by the committee.

First of all, I think we must realize that although we now have a two-party system, we should not presume that all the parties there are ever going to be here for all time.

There is a very important and I think dramatic political history of this Nation in which parties have emerged and, like people, have lived, matured and passed on.

I think that at a time when politics enjoys such little public confidence we must not be put in a position of discouraging the growth and the healthy competition that would accrue from this conforming amendment.

May I point out, under the provisions of my amendment, that all the six new or minor political parties in the 1972 election totaled only four-tenths of 1 percent of the total votes cast for the Presidency of the United States and there would have been only $70,000 expended between some six parties because minor or new parties only receive that portion of $20 million equal to their proportion of the total Presidential vote.

So it seems to me eminently sound, quite fair and democratic, that we here allow the widest and total expression of all our citizens in this country in connection with the political parties of their choice which are so important a part of the electoral process.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I appreciate the gentleman submitting his amendment, but I would like to call the attention of the gentleman to the fact that in the confusion of the debate here I find that all of the sections to which the gentleman's amendment applies, except that part on page 51, have already been stricken out of the bill.

This is a situation that is new to me. It seems to me that the gentleman's amendment is germane down through the part that says:

(6) Section 9004(a)(3) (relating to eligibility of candidates of a minor party or a new party) is amended by striking out "5 percent or more of the total" and inserting in lieu thereof "any."

Because the rest of it has been stricken by the Frenzel amendment.

I hope that the chairman will recognize that this amendment is in no way contrary to the thrust of the bill before the membership here today. It merely insures that those who may not be in the majority position, and thus not a part of either of the two parties who now totally control this decision by our membership in both the House and the Senate, that we should not solely out of our generosity but out of our recognition that the fairest way to encourage all citizens to participate is to allow these same provisions to apply to those who may support any party as long as it conforms to the legal and statutory requirements in the jurisdiction in which it was created.

Also, it may as well be a question of constitutionality for us to have assigned so arbitrary a figure, 5 percent, in defining a political grouping eligible for Federal funds and governed by Federal regulations.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding.

Is the gentleman also saying that if we are going to, under this bill, actually open up the Federal Treasury to certain groups, we ought to make it fair for all, regardless of their size? Is that true?

Mr. CONYERS. Precisely.

Mr. ROUSSELOT. I think that is a

wholly reasonable and correct position and I appreciate the gentleman's explanation

Mr. CONYERS. I urge the support from the membership in behalf of this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRADEMAS. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I appreciate the positive thrust behind the amendment offered by the gentleman from Michigan, but as I read his amendment, in effect it would say that if a handful of people decided to call themselves a political party and were to seek to make use of funds from the dollar checkoff fund in Presidential general elections, assuming that they met the other qualifications, they would be able to obtain money under the gentleman's amendment. I think that the language incorporated in the committee bill, which is language from the 1972 dollar checkoff law with respect to Presidential general elections, is sensible in that it provides that minor parties would be defined as any political party whose campaign for President or Vice President in the preceding election received at least 5 percent but less than 25 percent of the total number of popular votes cast for all candidates in such elections.

I do not want to misrepresent the gentleman's amendment. If I have, I am sure he will explain it to me. I will be glad to yield to him.

Mr. CONYERS. I appreciate the gentleman's yielding.

I should like to point out that the handful of people who may want to form a political party is the same kind of a handful of people who might form and have formed some of the great parties in the past, and specifically the two great parties that exist in this country today. There was a handful of people that formed the Whig Party that elected two Presidents. There was a handful of people that formed the party that the gentleman and I are members of, back in 1800. At the same time I think that we should not deprecate those citizens who may reserve judgment.

Mr. BRADEMAS. I appreciate the point the gentleman is making. The point I am making, however, is that were we to agree to his amendment, the effect would surely be to give encouragement to the proliferation of minor parties in the United States. We seem to be surviving, in spite of our difficulties, with two major parties, and I would hope the gentleman's amendment would be rejected.

Mr. FRENZEL. Mr. Chairman, I move to strike the last word.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I ask unanimous consent that all debate on this amendment cease in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FRENZEL. Mr. Chairman, will the gentleman from Michigan answer a question? It looks as though the bill as amended would only admit to the first two sections of this amendment which would allow a new party or a minor party with any number of members or adherence of any number full participation in the fund. Is this correct?

Mr. CONYERS. That is correct. What we seek to do is to strike what might now be considered an arbitrary number to require the parties to reach a 5-percent growth to succeed and reach the checkoff benefit. After all, that may have been 2 percent or something else, but altogether it would have cost $70,000 among six different parties. I think the logic of fairness to all parties in arriving at this new profound law is extremely important and should be embodied in this first important piece of legislation.

Mr. FRENZEL. I thank the gentleman for his explanation. I think the gentleman is right, that we have never been able to establish a matching formula that would do justice to new parties and third parties or independent parties. This troubles me particularly and is one reason why I do not like matching or public financing of any kind.

I do however think that striking out any kind of qualification is a mistake, and, as the gentleman from Indiana (Mr. BRADEMAS) has pointed out, actually even a group of two could be a new party under the gentleman's amendment, and for that reason I am going to oppose it.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, is not the 5-percent figure, very arbitrary, and totally unnecessary to the process of getting a party started? As far as two people in a closet, starting a party, everybody realizes it takes more than that to start a viable political party. How did the committee arrive at a 5-percent figure?

Mr. FRENZEL. The committee did not arrive at a 5-percent figure.

Mr. ROUSSELOT. Where did it come from?

Mr. FRENZEL. That was in the Internal Revenue Code. That was voted long ago.

Mr. ROUSSELOT. Did the IRS determine that 5-percent formula?

Mr. FRENZEL. No. Only the Congress can write the laws. It is part of our checkoff law.

Mr. ROUSSELOT. This is going to be managed by the Treasury Department? Where did that wonderful magic term of 5 percent come from?

Mr. FRENZEL. The Congress determined that when it passed the original checkoff fund.

Mr. ROUSSELOT. I really do not know who can explain this arbitrary 5-percent formula.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, this is from the 1972 act which establishes the dollar checkoff fund with respect to Presidential general elections.

Mr. ROUSSELOT. How did the Congress establish 5 percent?

Mr. BRADEMAS. It is in the act.

Mr. ROUSSELOT. That is certainly an arbitrary test.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Ohio.

Mr. HAYS. Of course it is an arbitrary decision, just like the $60,000 figure is arbitrary.

Mr. ROUSSELOT. This bill has many arbitrary decisions in my opinion.

Then nobody can answer that question about the 5 percent and how it was arrived at? I am therefore constrained to vote for the amendment.

Mr. FRENZEL. I suggest we vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The amendment was rejected.

AMENDMENT OFFERED BY MR. UDALL

Mr. UDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. UDALL:

On page 78, line 4, add the following new Section 409, and renumber the existing Sections 409 and 410 to become Sections 410 and 411.

CONGRESSIONAL MATCHING PAYMENT ACCOUNT

SEC. 409. (a) The analysis of subtitles at the beginning of the Internal Revenue Code of 1954 is amended by substituting the following new Subtitle H:

"Subtitle H. Financing of Federal Election Campaigns."

(b) The analysis of chapters at the beginning of subtitle H of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Chapter 98. Congressional Matching Payment Account."

(c) Subtitle H of the Internal Revenue Code of 1954 is amended by adding at the and thereof the following new chapter:

"Chapter 98—CONGRESSIONAL MATCHING PAYMENT ACCOUNT

"SEC. 9051. SHORT TITLE

"This chapter may be cited as the Congressional Matching Payment Account Act.

"SEC. 9052. DEFINITIONS

"For purposes of this chapter—

"(1) 'authorized committee' means the principal campaign committee of a candidate for federal office as designated under Section 302(f) of the Federal Election Campaign Act of 1971;

"(2) 'contribution' means a gift of money made by a written instrument which identifies the person making the contribution by full name and mailing address, but does not include a subscription, loan, advance or deposit of money, or a contribution of products or services;

"(3) 'eligible candidate' means a candidate for election to federal office who is eligible under section 9053, for payments under this title;

"(4) 'Federal office' means the federal office of Senator, or Representative;

"(5) 'general election' means any regularly scheduled or special election held for the purpose of electing a candidate to Federal office;

"(6) 'matching account' means the Congressional Matching Payment Account established under section 9057;

"(7) 'official political party committee' means a political committee organized by the House or Senate members of any political party having more than 15 percent of the

membership of either the House of Representatives or Senate of the United States and designated as an official political party committee by the appropriate House or Senate caucus of the political party;

"(8) 'qualified campaign expenses' means only those campaign expenses incurred in behalf of a candidate for the use of:

"(i) broadcasting stations to the extent that they represent direct charges for airtime;

"(ii) newspapers, magazines and outdoor advertising facilities to the extent that they represent direct charges for advertising space;

"(iii) direct mailings to the extent that they represent charges for postage; and

"(iv) telephones to the extent that they represent lease and use charges for equipment.

Provided, That qualified campaign expenses shall not include any payment which constitutes a violation of any law of the United States or of the state in which the expense is paid or incurred.

"(9) 'Representative' means a Member of the House of Representatives, and the Delegates from the District of Columbia, Guam, and the Virgin Islands.

"SEC. 9053. ELIGIBILITY FOR PAYMENTS

"(a) To be eligible to receive any payments under section 9057 for use in connection with his general election campaign, a candidate shall certify to the supervisory officer that the candidate is the nominee of a political party for election to the federal office of Representative or Senator or is otherwise qualified on the ballot as a candidate in the general election for such office, and he and his authorized committees have received contributions for that campaign in the amount of 10 percent of the maximum amount he may spend in the general election under section 608(c); *Provided*, That no candidate in the general election for the office of Senator need raise more than $50,000.

"(b) To be eligible to receive any payments under section 9057 for use as campaign contributions an official political party committee shall have its chairman certify to the supervisory officer its status as an official political party committee.

"(c) In determining the amount of contributions received for purposes of subsection (a) and of Section 9054(a)—

"(1) no contribution received as a subscription, loan, advance, or deposit, or as a contribution of products or services, shall be taken into account;

"(2) no contribution from any person shall be taken into account (a) in the case of a candidate to the extent that it exceeds $50 when added to the amount of all other contributions made by that person to or for the benefit of that candidate in connection with his election campaign; and (b) in the case of an official political party committee to the extent that it exceeds $50 in a given calendar year when added to the amount of all other contributions made by that person to the official political party committee of a given political party during the calendar year.

"(3) no contribution from any person shall be taken into account unless the recipient submits to the supervisory officer at such times and in such form as the supervisory officer may require, a matching payments voucher. Such voucher shall include the full name of any person making a contribution together with the date, the exact amount of the contribution, the complete address of the contributor and such other information as the supervisory officer may require.

"(4) no contribution from any person shall be taken into account in the case of a candidate to the extent that it was received prior to June 1 of the calendar year in which the general election is held, or in the case of a special general election, to the extent that it was received prior to three months before the special general election is held.

"(5) no contribution from any person shall be taken into account in the case of a candidate to the extent that it was received by a candidate or his authorized committee in pursuit of an unsuccessful attempt to obtain his party's nomination for the federal office being sought.

"(d) Certification under this section shall be filed with the supervisory officer at the time required by the supervisory officer.

"SEC. 9054. ENTITLEMENT TO PAYMENTS

"(a) Every eligible candidate and official political party committee is entitled to payments in an amount which is equal to the amount of contributions received by that candidate or official political party committee, subject to the provisions set forth in Section 9053.

"(b) Notwithstanding the provisions of subsection (a), no candidate is entitled to the payment of any amount under this section which, when added to the total amount of any other payments made to him under this section exceeds the amount of thirty-three percent of the expenditure limitation applicable to him for his general election campaign under seetion 608(c).

"(c) Notwithstanding the provisions of subsection (a), no candidate shall be entitled to receive any payments under this section prior to the date on which the nominating process is complete in the candidate's state for the federal office being sought in the general election, provided that in no event shall any funds be paid to any candidate prior to June 1 of the calendar year in which the general election is held, or in the case of a special general election, prior to three months before the special general election is held.

"(d) Notwithstanding the provisions of subsection (a), no official political party committee is entitled to receive in a given calendar year an amount in excess of $1 million when added to the amounts received by all other official political party committees of that political party during the calendar year.

"(e) No campaign contributions made by an official political party committee to a Congressional candidate shall be eligible to be matched by the candidate with funds otherwise available under this chapter to the candidate.

"SEC. 9055. LIMITATIONS

"(a) No candidate and his authorized committee who receive payments under this chapter shall use these funds except for qualified campaign expenses incurred for the period set forth in Section 9054(c).

"(b) No official political party committee which receives funds under this chapter shall use those funds except for purposes of making general election campaign contributions to Congressional candidates.

"(c) All payments received by a candidate or official political party committee under this chapter shall be deposited in a separate checking account at a national or state bank designated by the candidate or official political party committee and shall be administered by the candidate or the candidate's principal campaign committee or by the official political party committee. No expenditures of any payments received under this chapter shall be made except by checks drawn on this separate checking account at a national or state bank. The supervisory office may require such reports on the expenditures of these funds as it deems appropriate.

"(d) Notwithstanding any other provision of this chapter, no more than 100 percent of the allowable spending limit for a given candidate in a general election under Section 608(c), shall be paid under this chapter to all eligible candidates in that race; provided that the Secretary of the Treasury, in seeking an equitable distribution of such funds shall make such distribution in the same sequence in which such certifications are received pursuant to Section 9056.

"SEC. 9056. CERTIFICATIONS BY SUPERVISORY OFFICER

"(a) After a candidate or official political party committee establishes its eligibility under section 9053 and subject to the provisions of Section 9054, the supervisory officer shall expeditiously certify from time to time to the Secretary of the Treasury for payment to each candidate or official political party committee the amount to which that candidate or official political party committee is entitled.

"(b) Initial certifications by the supervisory officer under subsection (a), and all determinations made by it under this chapter, shall be final and conclusive, except to the extent that they are subject to examination and audit by the supervisory officer under section 9058 and judicial review under section 9060.

"SEC. 9057. PAYMENTS TO ELIGIBLE CANDIDATES

"(a) The Secretary of the Treasury shall establish and maintain an account known as the Congressional Matching Payment Account. The funds in this Matching Account shall be available for payment to any candidate or official political party committee eligible to receive payments under section 9053. The Secretary shall deposit in a Presidential election year into the Matching Account the excess amounts available under Section 6096, after the Secretary determines and allocates the amounts required in that Presidential election year in accordance with sections 9006, 9008 and 9037.

"In each of the two years following a Presidential election, the Secretary shall deposit into the Matching Account that portion of the annual amounts designated by taxpayers under section 6096 that equals the excess above twenty-five percent of the total amount made available in the last Presidential election in allocating funds under sections 9006, 9008 and 9037. The monies in the Matching Account shall remain available without fiscal year limitation.

"(b) Upon receipt of a certification from the supervisory officer under section 9056, and subject to the provisions of sections 9053, 9054, and 9055, the Secretary of the Treasury shall promptly pay the amount certified by the supervisory officer from the Matching Account to the candidate or official political party committee to whom the certification relates.

"(c) If on June 1 of any election year the Secretary determines that the funds deposited in the Matching Account pursuant to paragraph (a) amount to less than 100 percentum of the maximum aggregate entitlement for such election, he shall, notwithstanding any other provision of this Chapter, limit payments to each candidate to an amount which bears the same ratio to the maximum entitlement of such candidate as the amount of funds in the Matching Account bears to the maximum aggregate entitlement.

"(d) For the purpose of this section—

"(1) 'maximum entitlement' means the total amount of payments which may be received by a candidate subject to the limitations of section 9054(b); and

"(2) 'maximum aggregate entitlement' means an amount which is the product of two and the sum of the maximum entitlements for each Federal office for which an election is to be held.

"(e) No payment shall be made under this chapter to any candidate for any campaign in connection with any election occurring before October 31, 1976 or to any official political party committee before June 1, 1976.

"SEC. 9058. EXAMINATION AND AUDITS; REPAYMENTS

"(a) After each general election, the supervisory officer shall conduct a thorough examination and audit of all candidates for Fed-

eral office and official political party committees with respect to the funds received and spent under this chapter.

"(b)(1) If the supervisory officer determines that any portion of the payments made to an eligible candidate or official political party committee under section 9057 was in excess of the aggregate amount of the payments to which the recipient was entitled, it shall so notify that recipient and the recipient shall pay to the Secretary of the Treasury an amount equal to the excess amount.

"(2) If the supervisory officer determines that any portion of the payments made to a candidate under section 9057 for use in his general election campaign was used for any purpose other than for qualified campaign expenses in connection with that campaign, the supervisory officer shall so notify the candidate and the candidate shall pay an amount equal to that amount to the Secretary.

"(3) If the supervisory officer determines that any portion of the payments made to an official political party committee under section 9057 were used for any purpose other than to make general election campaign contributions to Congressional candidates, the supervisory officer shall so notify the official political party committee and the official political party committee shall pay an amount equal to that amount to the Secretary.

"(4) Amounts received by a candidate under this chapter may be retained for thirty days after the general election for the purpose of liquidating all obligations to pay qualified campaign expenses which were incurred for the period set forth in section 9054(c). After the thirty-day period following the election, all remaining federal funds not yet expended on qualified campaign expenses shall be promptly repaid by the candidate to the Matching Account.

"(5)If the supervisory officer determines that any candidate who has received funds under this chapter, is convicted of violating any provision of this chapter, the supervisory officer shall notify the candidate and the candidate shall pay to the Secretary of the Treasury the full amount received under this chapter.

"(6) No payment shall be required from a candidate or official political party committee under this section in excess of the total amount of all payments received by the candidate or official political party committee under section 9057.

"(c) No notification shall be made by the supervisory officer under subsection (b) with respect to a campaign more than three years after the day of the election to which the campaign related.

"(c) All payments received by the Secretary under subsection (b) shall be deposited by him in the Matching Account.

"SEC. 9059. REPORTS TO CONGRESS

"(a) The supervisory officer shall, as soon as practicable after the close of each calendar year, submit a full report to the Senate and House of Representatives setting forth—

"(1) the qualified campaign expenses (shown in the detail the supervisory officer deems necessary) incurred by a candidate and his authorized committees, and by each official political party committee; and ceived any payment under section 9057.

"(2) the amounts certified by it under section 9056 for payment to each candidate and his authorized committees and each official political party committee; and

"(3) the amount of payments, if any, required from that candidate or official political party committee under section 9058, and the reasons for each payment required. Each report submitted pursuant to this section shall be printed as a House or Senate document.

"SEC. 9096. JUDICIAL REVIEW

"(a) Any agency action by the supervisory officer made under the provisions of this chapter shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within 30 days after the agency action by the supervisory officer for which review is sought.

"(b) Review Procedures—The provisions of Chapter 7 of Title 5, United States Code apply to judicial review of any agency action, as defined in Section 551 (13) of Title 5, United States Code.

"SEC. 9061. UNLAWFUL USE OF PAYMENTS

"It shall be unlawful for any person who receives payment under this chapter or to whom any portion of such payment is transferred, knowingly and willfully to use, or authorize the use of, such payment or such portion for any purpose other than for the specific purposes authorized by this chapter.

"SEC. 9062. FALSE STATEMENTS

"It shall be unlawful for any person knowingly and willfully to furnish any false, fictitious or fraudulent evidence, books or information to the supervisory officer under this chapter or to include in any evidence, books, or information so furnished any misrepresentation of a material fact, or to falsify or conceal any evidence, books or information relevant to a certification by the supervisory officer.

"SEC. 9063. KICKBACKS AND ILLEGAL PAYMENTS

"It shall be unlawful for any person knowingly and willfully to give or accept any kickback or any illegal payment in connection with any payments received under this Chapter or in connection with any expenditures of payments received under this chapter.

"SEC. 9064. PENALTY FOR VIOLATIONS

"(a) Any knowing and willful violation of any provision of this chapter is punishable by a fine of not more than $25,000, or imprisonment for not more than one year, or both."

Mr. UDALL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Chairman, we have a very good bill before us. The gentleman from Ohio has been kind enough to say good things about me and I want to compliment him and the committee for bringing to the floor a very sound and very responsible bill.

I think it really needs only one more thing to be an exceptionally outstanding bill, and that is to adopt the Anderson-Udall, Foley-Conable matching fund proposal for congressional elections.

Studies have shown that about 95 percent of the financing of congressional elections comes from the top 2 or 3 percent of the wealthiest people in this country. The little guys are left out, whether they are Democrats or Republicans.

We have been trying new concepts, new patterns lately in this country. Two years ago we established a $25 tax credit for man and wife, and $100 tax deduction. This partial public financing has worked.

Now what we are trying to do is bring into the congressional election a mass of small private donations, with a limited amount of public money.

This proposal of ours has gone through some evolutions. It has been changed a number of times. As I moved around the floor today. I found a lot of confusion about it. I hope no one will vote against past versions of this proposal. It does not apply to 1974. It applies only to 1976. It will be a trial run in 1976, along with the Presidential general election primaries we have just approved. It does not apply to congressional primaries. There was fear there would be twelve or fourteen people running in a congressional district all financed by public funds. We do not hand anybody $90,000 or any large sum simply for getting a party nomination. The most public money they can get is $20,000, and to get it they have to match it with $50 or smaller donations. Not a dime of general revenue funds will go into this. It will be financed totally by the checkoff. It will be financed by people who voluntarily want to give a dollar on their income tax for a new system of clean honest elections.

There were fears we would be financing frivolous candidates. We have a threshold. They have to raise $6,000 in $50 chunks or smaller to qualify. That is a very high threshold. Anybody that is a serious opponent against any incumbent is going to be able to raise $7,500.

There is no compulsion. No candidate has to use this system. If they like the old way, if they have some conscientious objection to using dollar checkoff funds they may reject it.

One of the other objections was made to the Senate bill and some of the other proposals, which gave public money for merely getting a major party nomination, even in a district where the race would be hopeless. A candidate could be in a one-party district, but if he gets a major party nomination under some of these proposals, he gets $90,000 or some large sum of money. In our proposal he has to match dollar for dollar. He has to get it in small contributions and, as I say, it is limited to a $20,000 total.

We have another important limitation. Fears were expressed that, "You are going to take all this Federal money. You are going to hire your brother-in-law as a consultant, or spend all this taxpayer money on similarly senseless matters.

The $20,000 that is raised has to be segregated in a separate bank account. That money has to be used, or it has to be given back. It must be used for five highly visible things: radio, televison, newspapers, billboards, telephone banks, and postage for direct mailing.

We have a fine system that ought to be tried out on a limited basis. I think it will work.

There was some talk in the cloakroom today and I want to put it to rest, regarding an earlier proposal under which there would be a flat grant of $1,000,000 to each of the national campaign committees. That is not in the bill. There is included here only voluntary amounts from the voluntary checkoff system with all the careful limitations that I have indicated.

I think the time has come when we should give this thing a trial. Surely today the American people are ready to put up a dollar or two a year to have a clean, decent, brand new system of House and Senate elections in this country. Under this carefully drawn system with these careful safeguards, we can

give this a trial without running any of the risks people have feared about public financing.

This has widespread support outside the Congress. I think we make a serious mistake today if we reject this fine system. Added to the bill we have, the fine provisions in the bill we have, we will have something that in this historic day we can be very proud of.

I urge my colleagues to support this amendment.

Mr. KAZEN. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Texas.

Mr. KAZEN. I do not know how the checkoff system in your amendment works. I can understand on the national level in a Presidential race that the money is coming from a checkoff from throughout the country. Suppose there are no checkoffs in a particular area.

Mr. UDALL. If there is no money in the checkoff fund there will be no payments.

Mr. KAZEN. Suppose there are no checkoffs from two or three congressional areas. Is there going to be any money from the general fund coming from outside into those districts to finance those candidates?

Mr. UDALL. Yes; this is a national fund designed to help finance campaigns all over the country.

Mr. HAYS. Mr. Chairman, it is getting late and a lot of Members have commitments, as I said earlier, and I was wondering if 30 minutes would be sufficient time to conclude debate on this amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 5:30 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The Chair will recognize Members standing at the time the unanimous-consent request was made for 50 seconds each.

Mr. HAYS. Mr. Chairman, I would like to amend my unanimous-consent request and ask unanimous consent that all Members whose names have been read be recognized for 1 minute each.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. GROSS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

(By unanimous consent, Messrs. NEDZI, BRADEMAS, CARNEY of Ohio, DENT, MATHIS of Georgia, and GAYDOS yielded their time to Mr. HAYS.)

(By unanimous consent, Messrs. BROWN of Ohio and NELSEN yielded their time to Mr. FRENZEL.)

(By unanimous consent, Messrs. COHEN, DELLENBACK, WHALEN, and CONTE yielded their time to Mr. ANDERSON of Illinois.)

(By unanimous consent, Mr. YOUNG of Florida and Mr. BAUMAN yielded their time to Mr. ROUSSELOT.)

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. GAYDOS).

Mr. GAYDOS. Mr. Chairman, what is the purpose for allowing these funds for congressional races?

Obviously, based on current estimates, there is a question whether or not there will be sufficient funds available to take care of all the costs of the 1976 Presidential election and the presidential primary races.

But assuming that there are available certain funds from the dollar checkoff for use in congressional races, it would be so small that when allocated among the candidates, it would be a mere token contribution to the candidates' campaigns.

The rationale behind the push for public financing is two-pronged:

First, to eliminate the evil of private funding as reflected in the Watergate matter.

Second, the need to provide funds to challengers in order to make political campaigns more competitive.

The mere fact that the proponents of public financing accept the concept of matching funds, such as in the Presidential primary, indicates that they do not consider private funds per se evil.

However, the bill before the House does answer the allegation of the existence of evil private funds in the Presidential general election by authorizing full Federal funding for Presidential general.

But by accepting the concept of matching funds for the Presidential primary, the proponents for public financing then switch their argument from the need to eliminate private funds to the need to provide front money for candidates who do not have sufficient private funds available to launch a campaign for the Presidential nomination. If private funds were so evil then why should they be matched by Federal funds. The answer to this question probably will be that the matching will only apply to small contributions.

However, if the committee bill passes then the strict limitations on contributions will in effect eliminate the large contributions which are alleged to be evil. So the only rationale for public funds in the Presidential primary is to assist candidates in launching campaign for the Presidential nomination.

However, if we should authorize Federal funds for congressional general elections, we certainly are not encouraging more individuals to seek the nomination for these seats. If that is the purpose then Federal funds should be made available to individuals to assist their campaign for nomination. Once a candidate has received the nomination, his party will then assist his campaign. Why is it necessary for Federal funds at this point, particularly when the available funds will be so small?

If the purpose of providing funds to congressional candidates is to encourage more individuals to seek public office, then the only way to accomplish this is to direct Federal funds to those individuals who are unable to raise sufficient funds to enable them to obtain the nomination of the party. Providing Federal funds to the party candidate once nominated certainly does not encourage more individuals to seek public office. It merely assists the nominees of the respective parties. In fact, if the funds available from the dollar checkoff should become substantial, then the result of Federal funding could well mean a substitute for party funding from private sources.

PROVISIONS OF ANNUNZIO AMENDMENT

I. ELIGIBILITY

First, must certify that he is the nominee of a political party or is qualified on the ballot as a candidate for the Federal office.

Second, that he has raised at least 10 percent of the expenditure ceiling—$7,500 for a House seat—but a senatorial candidate does not have to raise more than $50,000.

Third, contributions in the form of subscriptions, loans, deposits or advances are not considered as eligible contributions in meeting the 10 percent requirement.

Fourth, only contributions of less than $50 from each person shall be considered.

Fifth, only contributions received after June 1 in the election year.

Sixth, Federal funds could not exceed 33 percent of the expenditure limitation.

Seventh, Federal funds must be kept in a separate bank account.

Eighth, can only be used for broadcasting stations, newspapers, magazines, outdoor advertising, postage for direct mailings, and telephones.

II. THE AMENDMENT ALSO PROVIDES FOR PAYMENTS OF FEDERAL FUNDS TO CONGRESSIONAL CAMPAIGN COMMITTEES OF TO $1 MILLION PER YEAR

These committees could then give any of their candidates up to $10,000 of these funds or any mixture of private and Federal funds. This would amend the provision limiting the contributions to $5,000 in the bill as far as the general election is concerned. The $5,000 limitation would still apply to the primary.

The thrust of this amendment is certainly not to encourage more individuals to seek public office. It is just the opposite in that it only supports party nominees. Furthermore, the fact that the congressional campaign committees of the major national parties could receive up to $1 million would indicate that the intent is to further strengthen the major national parties and allow them to decide which of their nominees they wish to support. Does this result in those candidates in greatest need of support receiving funds from the national committee or those candidates which the national committee looks on most favorably?

(By unanimous consent, Messrs. OBEY, BADILLO, BOLAND, and RONCALIO of Wyoming yielded their time to Mr. UDALL.)

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Chairman, I take this time to ask my good colleague, the gentleman from Arizona, who voted against the amendment to eliminate public financing of Presidential campaigns, why he now comes before us and eliminates financing for congressional campaigns in a primary contest. I find that highly inconsistent and discriminatory to Members of Congress and the Senate.

Mr. UDALL. If the gentleman will yield, one does the best he can.

Mr. ROUSSELOT. I will be glad to yield to the gentleman from Arizona.

Mr. UDALL. I have long forward the

original Anderson-Udall bill, which covered both primaries and general elections.

Mr. ROUSSELOT. Why did the gentleman eliminate that concept from this amendment?

Mr. UDALL. Because it could not pass with primaries contained in the bill.

Mr. ROUSSELOT. What we are now hearing from my good friend, the gentleman from Arizona, is that he has become very political on this issue of public funding for congressional primaries. I think that is an unfortunate discrepancy and obvious deficiency in the gentleman's amendment. The gentleman sincerely believes it should be in Presidential campaigns for both the primary and the general elections, but to garner votes here on the floor, he has come before the House and played a kind of Mickey Mouse game with his own principles. That is very similar to coming out for Federal education, for buildings, but not for teachers. I think one is either for Federal aid education or he is not.

My belief is that my good colleague, the gentleman from Arizona, once again, as he did in the case of the land use bill, when he had some 20 amendments, has come before the House today and substantially compromised his own position, in which he does not wholly believe. On that basis alone the amendment should be defeated though there are many reasons for its defeat.

Mr. UDALL. Mr. Chairman, if the gentleman will yield, one gets what he can and does what he can. I voted for medicare, for older citizens when I really favor national health insurance for everyone.

Mr. ROUSSELOT. I understand that a lot of people try to get what they can get out of Government and especially from the Public Treasury. What I am saying is that I think this is an impossible kind of amendment when it is in direct conflict with the rest of the bill which tolerates Federal financing of primaries.

The CHAIRMAN. The Chair recognizes the gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Chairman, I rise in support of this amendment. I think it is perhaps the most important amendment that we will be considering to provide us absolutely free and uninhibited funding down the line.

Mr. Chairman, if there ever was an appropriate time for the Congress to pass campaign reform legislation, that time is now.

The Watergate scandals have galvanized public attitudes toward our political system. They have compounded years of public cynicism about elected officials. Concurrently, they have caused the public to demand reform of campaign abuses.

Despite a recent upward flicker in congressional popularity, Members of Congress still rank in public esteem just ahead of skunks. And unless we enact meaningful campaign reforms, the skunks will be catching up.

As a Democrat, I have taken no partisan pleasure whatsoever in seeing my Republican colleagues shiver under a rain of Watergate indictments. All incidents of corruption, whether Republican or Democratic, reinforce the public suspicion that every politician is on the take.

Well, you and I know that most politicians are not on the take. But it is not for lack of opportunities inherent in our special interest campaign financing system. Congress in 1971 passed a disclosure law to shed some light into the dark corners of political money raising.

It was only a start. But it was a revolution ahead of the 1925 Corrupt Practices Act. Now there is at least limited disclosure in Federal political campaigns. It is weak, however, compared to the reporting law in Washington State, which was passed by the people in 1972 after a number of us signed petitions to put it on a statewide ballot.

H.R. 16090 improves some portions of the 1971 law but leaves at least two areas without effective reform: putting teeth in disclosure and working toward public financing.

Asking elected officials to regulate themselves while seeking reelection produces an inherent conflict of interest. And naming employees of these elected officials as watchdogs of disclosure strains credulity. The public is not so gullible to continue to accept this sort of cozy reporting system.

That is why I supported the amendment offered by the gentleman from Florida (Mr. FASCELL) and the gentleman from Minnesota (Mr. FRENZEL) to create an independent Federal Elections Commission. The Board of Supervisors set up by the committee bill would leave us in the awkward and ineffective position of judging ourselves—or not judging ourselves, as the situation is more likely to be.

H.R. 16090 also sets limits on contributions. But disclosure and limits on contributions still beg the question of the whole system of special interest financing. Campaigning for public office is expensive. The expense is usually greater than the salary that goes with the job. So, unless you are rich, you must outstretch your palm and ask for money.

Few Americans contribute to political campaigns. Fewer still contribute just for the sake of financing good government. Behind nearly every sizable contribution is a contributor holding an ax for grinding. If you are strong, you draw a line. But the temptation is always there. Campaign financing by special interests is the most corruptive influence in the American political system.

The obvious solution is public campaign financing. It is an idea whose time is fast approaching as disgust with the existing system continues to spread. As one of the sponsors of the earlier Udall-Anderson bill, I believe we must make a start on trying the idea.

Thanks to the checkoff of income tax forms, public campaign financing may be possible in the 1976 Presidential campaign. But we could be experimenting with public financing in other campaigns as well—if we put the provisions in this bill.

I will support the amendment by the gentleman from Arizona (Mr. UDALL) and others to try a matching system of public campaign funds. There are unanswered questions about using taxpayers' money for political campaigns. Some citizens view it simply as another way for politicians to get their hands in the till. But it all comes back to one basic question: Who do you want paying your elected officials' campaign costs? Do you want continued payments attached to strings from big corporations, labor unions, trade associations, or other organized pursuers of private interest? Or do you want campaign financing by the public, which seeks only responsive government in the public interest?

It may not be possible to remedy all these problems in H.R. 16090. But the Federal Election Act amendments do improve upon the 1971 law. I will vote for the legislation on final passage.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Washington.

Mr. FOLEY. Mr. Chairman, I thank the gentleman from Washington for yielding.

I hope Members on both sides of the aisle will support this essential amendment. It is sponsored, as I think the Members know, by the gentleman from Arizona (Mr. UDALL), the gentleman from Illinois (Mr. ANDERSON), the gentleman from New York (Mr. CONABLE), and myself, and others who have joined in that sponsorship. This amendment will not apply funds to congressional races except those voluntarily contributed through the tax checkoff. It applies to general elections only and is limited to the matching of small contributions not to exceed $20,000.

The amendment can if adopted be a historic step in opening the political system to afford broadest, most objective, and most responsive decision in all Federal elections.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. Mr. Chairman, I rise merely to voice my opposition to this amendment.

As I opposed the tax checkoff for Presidential elections, so I oppose this tax checkoff for congressional elections.

When my constituents were polled on this issue, 77.2 percent of those responding were opposed to taking tax dollars and financing Federal elections. So I say to my colleagues that you may not be reading the sentiment of the people on this particular issue, and especially when the people begin to see their dollars going to support candidates with whom they completely and totally disagree, and oppose politically.

So, Mr. Chairman, I hope the amendment is rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. O'BRIEN).

Mr. CULVER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN. I yield to the gentleman from Iowa.

Mr. CULVER. Mr. Chairman, I wish to voice my strong support for the Anderson-Udall amendment to H.R. 16090, the Federal Election Act Amendments of 1974. This amendment would provide for a matching form of private and public financing of congressional general elections, and would be financed out of the

dollar checkoff fund already provided in H.R. 16090 for Presidential elections.

This amendment will, I believe, lead to an end of the abuses we have seen during the past 2 years by fostering a broader base of citizen participation in the financing of Federal elections.

We must break with the precedent of large donations, and provide incentives to encourage a resurgence of citizen participation in campaigns, while at the same time permitting candidates without great wealth, or the advantage of incumbancy, a realistic chance in seeking public office.

I, therefore, fully support efforts to amend H.R. 16090 to include a system of matching payments for small contributions to congressional campaigns. The thrust of such a system is not eliminate private money from campaigns, but to shift the source of funding from the special interests and large contributors to a broad base of citizen participation. With entitlement to a $50 Federal matching payment for each equivalent contribution raised privately, candidates would have a far stronger incentive to turn to the people to finance their campaigns.

There is a desperate need to equalize the political influence of all citizens in the United States. We must act now to insure that the inequality in the amount of money one has or can command does not disproportionately affect the extent of their political influence.

Mr. O'BRIEN. Mr. Chairman, I rise in support of the amendment offered by the gentlemen from Illinois and Arizona. While I am looking forward to the passage of this vital legislation, I feel especially adamant about the necessity for this particular amendment.

In my conversations with colleagues and constituents regarding Federal matching payments, I have encountered the same objection time after time: "This proposal will force me, through my tax dollars, to support campaigns, issues, and ideologies which I find distasteful and repugnant."

I am then usually reminded that Thomas Jefferson explicitly warned that no American should ever be coerced into supporting ideas or beliefs contrary to his own. I agree 100 percent. The validity of Jefferson's proposition is unquestionable. If I thought for 1 second that this amendment would intentionally or inadvertently violate this fundamental right of every American, I would denounce it.

Gentlemen, this amendment has been carefully engineered so as to protect this right. Not 1 dime, not 1 Lincoln penny will be exacted from any taxpayer who chooses not to provide these matching payments. The whole fund will come from an optional campaign checkoff on each citizen's Federal income tax return. Each voter can decide for himself if he wants to contribute to this fund, and he can do so in the privacy of his own home.

Judging by our 2-year experience with the Presidential campaign checkoff, I feel that the public has readily accepted this concept.

Still, many would-be supporters balk at another point. They ask, What will happen if the fund is insufficient to match all the small contributions amassed by all the candidates. Again, I must emphasize that funds would not be drawn from the Treasury to make up a deficit. Instead, each candidate's maximum Federal matching payment would be reduced from its $25,000 ceiling to a percentage of that amount. The reduction would be based on the percent of shortfall of the checkoff fund. For instance, if the checkoff fund contained only 80 percent of the maximum required amount, the ceiling for each candidate would be 80 percent of $25,000 or $20,000.

Let me add that the amount each candidate will be eligible to receive will be determined far in advance of each election so that no candidate will be caught short.

Gentlemen, as I look around this country today, I see dark clouds of doubt, cynicism, and distrust hanging over our body politic. However, I firmly believe that the adoption of this amendment—and the passage of this bill—will help sweep these storm clouds from our land. Just as fresh air invigorates the body, this fresh source of campaign money will revitalize our election process.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Chairman, I rise in strong support of this amendment. I think it is one that is deperately needed if we are ever going to break the bonds that have been leaving the rich in complete power in so many cases.

I can speak with some authority in this area. In my campaign, which was one of the most heavily financed campaigns in this country, where more money was put in than probably, in any other campaign in this Congress, I recognize the power of what money can do in a campaign.

Mr. Chairman, I think we ought to get away from that. I am for the limitation of amounts that can be spent in a campaign and I am for public financing as outlined in this amendment.

Mr. PHILLIP BURTON. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from California.

Mr. PHILLIP BURTON. Mr. Chairman, I thank the gentleman for yielding.

I most strongly urge my colleagues to support this amendment. This particular amendment has been very carefully drawn. It does no more than it purports to. There are not any hooks in it. It is a clean proposal, one that is meant to take some of the burdens out of compaigns.

Hopefully, this will protect us against potentially corruptive influences.

It is a very good amendment, and it should be voted for on its merits.

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire (Mr. CLEVELAND).

Mr. CLEVELAND. Mr. Chairman, I rise in support of the Anderson-Udall amendment. I regret the parliamentary situation only permits me 50 seconds.

I would remind some of the people who are supporting the Anderson-Udall amendment and some of the organizations who are supporting it, that this amendment has now been kicking around for more than a year. It has been changed on at least 3 or 4 times in major respects, and I believe for the better.

Some of the organizations and some of the people who are sponsoring this amendment have been highly critical of the Committee on House Administration for our delays—and there have been delays, some of them unexplained—should recognize in fairness that this period of delay has given the sponsors of the Anderson-Udall amendment a chance to make of it a better amendment. I somewhat reluctantly supported it initially. Now having been changed 3 or 4 times, for the better I can enthusiastically support it.

Mr. ANDERSON of California. Mr. Chairman, I rise in support of H.R. 16090, a bill designed to reform the Federal elections systems by establishing spending and contribution limits for all Federal offices, by providing for partial public financing and by creating a nonpartisan Board to enforce this act.

Under our representative system of government, the people elect fellow citizens to speak for, vote on behalf of, and represent their interests in the legislative bodies—the House and the Senate—and they elect a President to administer the laws, conduct foreign affairs, and established priorities. And, I believe this to be the best system of government devised by man.

If some people, however, are given preferential treatment because of their ability and willingness to contribute large sums toward the election of an individual, then the system breaks down. If some are "more equal" than others, then our representative system fails and the interests of all the people are aborted.

And this is a very serious threat to our democracy. It is a very serious threat if the interests of the rich and powerful are placed above the interests of the weak and the poor.

Our country was founded on the principle of equality—all are equal in the eyes of the law. But, if the rich and the powerful have a greater influence on writing and administering the laws, is not equality a sham, a farce?

And, obviously, we see that in our laws today. Who benefits from the tax loopholes? Who gains from subsidies?

It has become apparent that our Federal election laws need to be strengthened by restricting the influence of big money in political campaigns.

In 1972, over $66 million were spent on the House and Senate elections and only $1 of every $3 raised that year was collected in denominations under $100. Overall, the 1972 elections cost $100 million more than the 1968 elections.

In order to meet these rising campaign costs, candidates have become increasingly dependent on big givers. For example, the Citizens Research Foundation has found that 90 percent of candidate contributions for all elective officers come from 1 percent of the people.

CONTRIBUTION LIMITS

Under this bill, strict limits on contributions to candidates for Federal office are established by banning contributions by an individual which exceed $1,000 per election.

While present law has no limit on individual contributions, this measure states that no individual could contribute more than a total of $25,000 per year to

all Federal candidates and political committees supporting Federal candidates.

SPENDING LIMITATIONS

In addition, this bill, H.R. 16090, establishes a ceiling for all campaign activities in any election for Federal office. With respect to a Presidential election, candidates would be able to spend up to $20 million, instead of amounts totaling $54 million, as in the 1972 Nixon campaign, and $28 million by the McGovern organization.

Senatorial candidates would be limited to spending 5 cents per person in the State, or $75,000, whichever is greater.

Candidates for election to the House of Representatives would be limited to spending $60,000.

PUBLIC FINANCING

And, finally, to end the reliance on the wealthy to finance Presidential campaigns, the bill permits the use of up to $20 million per major candidate from those funds designated by taxpayers on their annual tax return to be paid to the Presidential Election Campaign Fund.

As with existing law, public financing would be strictly voluntary and would come from this Fund only.

An amendment will be offered, however, by Congressman ANDERSON of Illinois, the chairman of the Republican Conference, and Congressman UDALL of Arizona, to extend public financing to congressional campaigns based on a mix of private financing and Federal matching payments for small contributors of up to $50.

As the author of a similar proposal, I support this amendment which, again, would only use those funds which were voluntarily checked-off by taxpayers on their tax returns.

Before a candidate would be eligible for any of these funds, that candidate would have to demonstrate popular support by raising 10 percent of the spending limit—$6,000—in contributions of $50 or less. And, then, the maximum a candidate could receive would be $20,000.

If adopted, this amendment, I believe, will encourage interested citizens, who may lack personal funds, to seek public office. It would permit a person who has taken a great interest in community affairs to run for office, with the knowledge that he or she would not be indebted to the special interests.

I sincerely believe that this amendment would result in better government, practiced by better people, who only have a strong desire to serve their fellow man.

CONCLUSION

Mr. Chairman, the need for reform is obvious. The words "politics" and "politicians" have become synonymous with wheeling and dealing, undercover operations, and corruption.

And yes, some politicians are "wheelers and dealers"; some operate in the shadows, and some are corrupt. Those are the ones that all of us would like to see put out of business, and they will be when the public finds out about their activities.

But, certainly, most are honest; most are here in Congress or in the Presidency trying to do their best to represent all of the people. And, most will continue to raise their funds from small contributors; will continue to spend less than the maximum amount; and will continue to run fair, decent campaigns designed to inform, not deceive.

Unfortunately, legislation such as this is needed to assure that the big monied interests are not represented in proportion to their pocketbooks.

I support this proposal and urge my colleagues to join with me in passing a meaningful campaign reform bill which would put the poor and weak on an equal footing with the rich and powerful.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ANDERSON).

Mr. BIESTER. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. Mr. Chairman, I rise in support of the amendment introduced by Mr. ANDERSON and Mr. UDALL providing matching Federal funds in congressional campaigns.

The potential problems in raising large amounts of private money in campaigns is not limited to Presidential elections alone, and the fact that congressional public financing is not included in any form in H.R. 16090 is a glaring omission which must be corrected. For Members of Congress to exclude themselves from the same arrangement they would impose on candidates for the Presidency would create a double standard. The American public has clearly expressed its approval in nationwide polls of the public financing concept for all Federal elections. While I am personally committed to the concept of full public financing at the congressional level as well as at the Presidential and introduced legislation to that end last year, I would hope the House would at a minimum adopt the matching Federal funding plan as proposed by Mr. ANDERSON and Mr. UDALL.

The stimulus for campaign reform has emerged from the role money—big money—plays in the political process. While on paper and in principle we have gone far toward realizing our democratic tradition of one-man-one-vote as espoused in the Baker and Sims cases, we need to go a step further in removing the distorting influence of big money in elections to bring reality closer to principle. Money gives those individuals who have it to spend a special position before candidates and it holds the potential for carrying an influence that can make some individuals far more equal than others.

We know from experience that campaign contributions can lead to special preferences. Certainly, this is not always the case, but the suggestion and implication are there, nevertheless. The public, cynical about politics and its ethics, sees a relationship between money and interests and public policy whether it exists or not. It is time to sweep away any grounds for these suspicions.

The Anderson-Udall amendment can help. Under its provisions, matching Federal funds for private contributions of $50 or less for congressional candidates in general elections would be made available. Funds could not exceed one-third of the spending limit imposed in the bill and candidates would have to raise an initial amount to qualify for the matching Federal payments.

Mr. Chairman, I strongly urge my colleagues to support this critical amendment.

Mr. DU PONT. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Delaware.

Mr. DU PONT. Mr. Chairman, I rise in strong support of the Anderson-Udall public financing amendment. I am an original cosponsor of the amendment and strongly believe that we must get big money out of politics and small money in.

The concept of matching funds makes great sense for two reasons.

First, matching funds will help equalize the opportunity for individuals to run for congressional office.

Second, matching funds will remove the need for large contributions—both special interest group and individuals—which has in the past led to problems with elections. The corrupting influence of large contributions has amply been demonstrated in the past—and this amendment will help fight those kind of problems.

These are the two most important reasons I can think of in terms of reforming our political process—two very sound reasons for adopting this amendment.

Mr. PARRIS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Virginia.

Mr. PARRIS. Mr. Chairman, I have asked for this time in order to propound a question to the gentleman from Illinois, and that is whether or not this is the "nose of the camel under the tent theory" on the use of general revenue funds for political campaign financing purposes.

Mr. Chairman, I ask unanimous consent that I may be permitted to yield the balance of my time to the gentleman from Illinois for the purpose of answering my question.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Chairman, the amendment I have at the desk is at once both a bold departure in our approach to financing campaigns, and at the same time is firmly grounded in our deep tradition of grassroots citizen participation in the electoral process.

On the first score let me say unhesitatingly that this is a public finance amendment. It does provide for the use of taxpayer funds in congressional campaigns. And it does symbolize an intent to break sharply with our present woefully inadequate, special-interest dominated, campaign-funding system.

But let me make a second equally important point. We do not seek to enact public financing as an end in itself. We do not expect the mere input of public funds to magically cleanse or purify the election process. Nor do we seek to displace private money and private contributors entirely, as does the Senate bill.

Indeed, I adamantly object to that approach, and should our amendment be enacted, I would strenuously oppose any future effort to use it as a stepping stone to full public finance in the conventional sense.

What we propose instead is a creative blend. We have attempted to harness the mechanism of public financing to the objective or goal of revitalized citizen participation and small contributor funding of congressional election campaigns.

For that reason we do not simply set tax dollars on the stump to be siphoned off by anyone who can qualify for the ballot. Rather this amendment utilizes the matching concept so that the amount of public funds any candidate receives is a direct function of the number of small contributors he can mobilize in behalf of his candidacy.

To receive just $10,000 in public funds would require 200 separate $50 contributions or 500 separate $20 contributions. A House candidate wishing to receive the maximum entitlement under this amendment—$25,000—would need to raise 1,000 contributions averaging $25 apiece in order to do so.

Thus, Mr. Chairman, in this amendment we are contemplating considerably more than merely using public money to finance the necessary expenses of campaigns. Far more importantly, we are attempting to use public funds as a lever, as an incentive, to drastically increase the participation level of the electorate.

And I will say to those of my colleagues who may be skeptical, you are not going to achieve that critical objective by mere exhortation, or stirring rhetorical calls to get the people back in the election process.

The reason is simply that it is enormously expensive to raise small money. In many instances, the net return after fund-raising costs is so lov. that candidates and their political committees find such efforts are just not productive—especially if large contributions from interest groups or more affluent supporters are available.

However, by doubling the rate of return on efforts to mobilize small contributors, this amendment will alter the fund-raising equation significantly. It will provide the motor force that can help transform our rhetoric about citizen participation into concrete reality.

Mr. Chairman, this amendment will serve a second equally important objective, and that is insuring that campaigns are adequately funded. I need not remind you that by enacting stringent contribution limitations, we are going to substantially reduce the amount of funding available to conduct political campaigns. You need only look at the disclosure reports from the 1972 election to see that in most Senate races and in many hotly contested House races the contribution ceilings we adopted would have the effect of reducing funding by 20, 30, and, in some cases, 50 percent.

Yet we should not be deluded into thinking that if in driving the moneychangers out of politics we also drive out the money, we will have accomplished anything very constructive or healthy.

It takes money—large amounts of it—to communicate effectively with the electorate, to adequately inform voters about the issues and to conduct vigorous, competitive campaigns. By providing for a significant input of public funds and by increasing the volume of small private contributions this amendment will go a long way toward compensating for the adverse funding impact of the very necessary contribution limitations contained in the measure before us today.

Finally, Mr. Chairman, this amendment will not only provide adequate funding, but it will also insure the right kind of funding. At an hour when the capital of this Nation fairly trembles under the weight of the crisis upon us, and when confidence in our governmental institutions has plummeted to an all-time low, there is nothing more urgent than a dramatic demonstration that our system is worthy of the electorate's trust and support.

We simply must convince a skeptical public that elections are not bought, manipulated or corrupted by the few to the detriment of the many. In my opinion, the way to achieve that crucial objective is to convince the electorate that campaigns are financed with clean money. There can be little doubt that the mixed financing system of tax dollars and small contributions envisioned by our amendment would vividly provide that kind of assurance.

Mr. Chairman, I recognize, of course, that many of my colleagues have had serious reservations and questions about any measure which involves the use of tax dollars for campaign purposes. Let me say that I share many of those concerns, and for that reason we have attempted to very carefully craft this program so as to alleviate them. Indeed, I think it can be said quite categorically that this amendment avoids every major objection that has been raised to the more conventional proposals for public financing.

First, it puts to rest completely the basic philosophical objection to forcing a taxpayer to support a candidate with whom he strongly disagrees. The congressional matching program will be funded entirely out of the check-off fund and will therefore be supported entirely by voluntary taxpayer contributions.

If some of my supporters strongly oppose the views of my cosponsor (Mr. UDALL) on the question of land use control, they will not have to contribute a cent to his campaign. And if his supporters are unalterably opposed to my views on curbing labor violence in the construction industry, n ,t a cent of their tax money need go to my campaign. In short, our amendment fully protects that fundamental right of every American citizen, articulated by Thomas Jefferson almost two centuries ago, not to be coerced into involuntarily supporting ideas, opinions and beliefs with which he is unsympathetic.

Secondly, this amendment is not going to lead to bedsheet ballots and the proliferation of frivolous candidacies. The main problem in that regard is primaries, and we have explicitly excluded them from this proposal. In most States, independent candidates have substantial barriers to overcome in order to get on the ballot, and even if they do, they will be required to raise $7,500 before they are eligible for a penny of government funding.

Another worry that has been legitimately expressed is that candidates will use Government funds for certain frivolous purposes which will be strongly resented by the taxpayers. These might include various kinds of campaign paraphernalia, gimmicks or even exotic publicity stunts, padding the payroll with relatives and friends or the hiring of expensive consultants for slick media and advertising campaigns.

To avoid that possibility we require that matching payments be deposited in a separate bank account and that funds may be drawn from that account only for five specified purposes: first radio and TV air-time; second newspaper and magazine advertising space; third, outdoor billboard facilities; fourth, postage costs for direct mail campaigns; and fifth, telephone lease costs.

These are all high visibility expenditures and are generally accepted as necessary means for candidate communication with the electorate. At the same time, the five categories cover a broad enough range of advertising and communications techniques so that most candidates would not find them unduly restrictive.

Let me just briefly address two final objections that I have heard from some of my colleagues. I think there can be very legitimate concern that public finance will further erode the political parties at a time when we should be attempting to strengthen them, and would readily agree that this is an appropriate criticism of the kind of total public finance approach contained in the Senate bill. But our amendment contains two features which obviate that agrument entirely.

First, public funding is limited to one-third of a candidate's spending ceiling. Since the 1972 disclosure reports show that most House candidates received only about 20 percent of their funding from national, State and local party committees, it is clear that there will be more than sufficient opportunity for parties to continue and even expand their traditional funding role under our proposal.

Second, this amendment makes the campaign committees of each party eligible for matching payments to the tune of $1 million per year. So instead of undermining their role in the campaign funding process, our amendment will actually strengthen it by increasing the amount of funds they will have available for candidate support.

Finally, to those of you who are concerned about the cost and the budget impact of this amendment, let me assure you that the cost will be minimal.

Due to the one-third payment limitation, the threshold requirement and the fact that only the first $50 of a contribution will be matched, the total cost of the matching system will be quite modest. Were each House and Senate candidate to be eligible for the maximum entitlement under the amendment, the total cost would be $31 million per election. On an annualized basis that amounts to $15.5 million or 11 cents per eligible voter.

In actual practice, however, the costs are likely to be considerably less because many candidates will not meet the threshold requirement and most will not raise enough small contributions to be eligible for the full $25,000. Had the amendment been in effect for the 1972 congressional elections, the actual cost would have been only $14.4 million. I do not think that is too much to spend on clean elections.

In conclusion, Mr. Chairman, this is a balanced, workable amendment. It uses public funding to further the goal of renewed citizen participation and confidence in the electoral process. It contains built-in safeguards to meet all of the major difficulties of conventional public financing measures. I therefore urge you support the amendment.

The CHAIRMAN. The Chair will have to state there is a time certain fixed. There are a number of Members who stood at one time or another on our record but did not yield time to the principal involved. If those Members who stood desire time, I wish they would rise for recognition. If those Members do not, the Chair, with the permission of the committee, is going to arbitrarily divide the remaining time, 3 minutes to the gentleman from Arizona (Mr. UDALL) 4 minutes to the gentleman from Minnesota (Mr. FRENZEL) and 4 minutes to the gentleman from Ohio (Mr. HAYS). That is all the time there is.

The Chair recognizes the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Mr. Chairman, I yield to the gentleman from California.

Mr. PHILLIP BURTON. Is it not correct this amendment as it has been changed and refined now accepts the premise of the House Administration Bill constructed by the gentleman from Ohio (Mr. HAYS) and the others, including the gentleman from Illinois (Mr. ANNUNZIO) that no General Fund money except voluntary checkoff money can be used, and that no moneys can be used until after all of the other priorities in the bill have been fulfilled? Am I not correct in that respect?

Mr. UDALL. The gentleman is exactly correct. If there is no checkoff money, there is no matching in congressional elections. This is entirely a voluntary program; it is voluntary for the giver and the receiver. No one has to give a dollar on the tax checkoff unless he wants to. He knows what he is financing. No candidate has to use it. If one is affronted by the use of checkoff funds from little people's dollars, he need not apply. It is entirely voluntary.

I would add that public financing of elections is now used in some 20 countries. In Puerto Rico, the Commonwealth which is affiliated with us, they have had a fine experience with it. The elections down there are financed publicly. The Members ought to ask the Resident Commissioner from Puerto Rico how it works in that area.

Let me emphasize again, because there is misunderstanding, it does not apply this year, but only in 1976. It does not apply to primaries. There is a limitation on what one can get out of the fund, which is now $20,000 instead of $25,000, because we have reduced the overall spending limitation. It is totally financed by the checkoff. There is a threshold of $7,500, now $6,000, which must be raised before anyone can qualify, and anyone who is a serious opponent is going to raise $6,000 in any event, so this is not encouraging people to come into the races.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, I oppose the Udall-Anderson amendment.

I have previously listed for the members of this committee some of the ill effects of public financing, but a rerun might be helpful now. Here is what we get with public financing:

First, we get weakened political parties; second, we get more candidates in every race and duller elections, and duller elections means reelection of incumbents. We get additional protection of incumbents. We get discouragement of challenges. We get discouragement of personal participation in political campaigns. We get starvation of funds for State and local candidates. We get restriction of freedom of speech. We get a compelled use of your money and my money for candidates that we may personally object to. Worse, we get an increase in the bureaucracy.

Finally, we get more spending than we have now, although the people who put up this amendment are telling us they want to cut back. The worst effect of all is the promise of clean elections cannot be fulfilled by using public money.

Public money is the same color as private money. It is green. Translated in another way, a lawbreaker can break the law with public money as well as with private money. There is no essential cleanliness in public money.

I believe the bill we are working on today provides independent, effective regulation and enforcement, and that is the best insurance for clean elections. We can achieve clean, open, honest elections, without wasting the people's money.

If public financing is an idea whose time has come, why has public support for using the taxpayers' money in elections fallen off more than 10 percent in the last 6 months? I will tell the Members why—because the public has figured out whose money it is and what kind of campaigns it is going to be used on.

Our all-pervasive Government has left very little to us the American people. Do not let the bureaucrats take over the congressional elections too. At least save the people's House for the people.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, if there is any money left over after the campaign, does the candidate give it back to the Government or does he keep the money despite the fact that it is Government money?

Mr. UDALL. If the gentleman will yield, it goes back to the Government and it goes into the fund to pay for the overall television and billboard and other campaign expenses.

Mr. FRENZEL. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Chairman, I would like to say at the start when the gentleman was asked if this would be the nose of the camel under the tent, the gentleman from Illinois (Mr. ANDERSON) replied "No." And I agree with him, it would not be the nose of the camel, it would be the whole head and half his body. And the gentleman from Illinois (Mr. ANDERSON) and company would be back here in 2 years wanting complete public financing. They are the ones who wanted public financing which I turned down cold turkey.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HAYS. No. The gentleman got his time and he got 26 minutes of it the way it was, or the proponents of this did, and I am not going to yield at any time to anybody who is for this iniquitous amendment.

What the gentleman is really trying to do is to get his hands into the Treasury on the first go round. Sure, they wanted $90,000 first, and then they will want the whole turkey.

If we did that in Ohio we would have 1,000 candidates. All one has to do in Ohio is to give a dinner for $25 a ticket and bring in all the Hollywood stars one would want and spend that money and then you report you spent that amount and then you go to the Treasury and pick up your check.

But that is what it amounts to. I am totally opposed to it. I am asking the Members to accept a limited trial run on the Presidential campaign, where all the people have gone to jail. There have not been any charges of illicit contributions in the congressional campaigns.

They talk about reducing the big money. We have already reduced the big money by putting a ceiling on all one can spend, by putting a ceiling on what one can raise, and by putting a ceiling on what may be contributed.

Mr. Chairman, I hope the amendment is defeated.

Mr. JAMES V. STANTON. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Ohio.

Mr. JAMES V. STANTON. Mr. Chairman, I rise in opposition to the amendment. I believe public financing in the guise that it is being presented here today is the same type of poison that was initially presented. I believe the process of developing strong political parties in this country ought to be on the basis of the parties and the philosophies themselves, and we should not enable by a method of public financing the development of new philosophies. In my judgment this is just the beginning of proliferating those philosophies and parties in this country.

Mr. HAYS. I agree with the gentleman totally. I think it is a scheme to break down the two-party system. I think it could have that effect. I think it is significant that the people who believe in the two-party system are totally opposed to this concept.

Mr. JAMES V. STANTON. Mr. Chair-

man, the Watergate crisis is generating a great deal of energy for reform of the electioneering process. Obviously, this is a good thing, but we would be making a serious mistake, Mr. Speaker, if we were to assume that any reform—just so long as it produces change—is better than no reform at all. If our responsibility as politicians, as holders of public office and as lawmakers were limited only to offering proof to the public that we care—from which it would follow that we deserve to be reelected next November—then we would be committing no crime if we were to succumb to the "do something, do anything" impulse. In fact, we could saddle some "idea whose time has come" and ride this wave of the future to still another term in public office. But, of course, our responsibility goes beyond that.

It is our duty to think, as well as to act. It is our duty to be sensible; to write into the law only those reforms that we know are going to be meaningful and that will not lead to further disillusionment; to take care that we do not casually transform and thereby undermine that larger framework of democratic government that served us well for nearly 200 years, and which, having been the target of the Watergate criminals, should not, knowingly or unknowingly, become our target as well. It is our duty, Mr. Speaker, to remember that we are politicians as well as reformers, experienced in the ways of government and elections, and possessed of that inside knowledge that comes only from being a part of these processes. It is our duty to use that knowledge to harness and correctly channel the energy for political reform.

Recent developments in the Senate suggest that we might soon be confronted in this body with one of those "ideas whose time has come." This is the proposal for public financing of campaigns for Federal office—that is, Presidential and congressional electioneering. Besides being a proposal, it has taken on the dimensions of a moral crusade. Mr. Speaker, while I do not question the sincerity of those who advocate public financing, I do challenge their wisdom. I submit respectfully that their proposal—I am addressing myself, of course, to the basic concept rather than to any particular legislative formulation of it—is at best a placebo and at worst—I am using this word with forethought—a poison. It's a placebo because it will not succeed in assuring us of "unbought" politicians.

It is a poison because it might very well destroy the innards of the American system of government. One organ it would attack is the first amendment, which assures to every citizen and group of citizens not only a voice to influence their political leaders but also the absolute right to chart their own lawful strategy for maximizing that voice. Another organ that would be threatened is our traditional infrastructure of major and minor political parties. The parties might be brought to a state of atrophy by public financing, or—this is another possibility—they might become afflicted with elephantiasis. Even worse, perhaps, is the possibility that they might achieve immortality. A host of new parties might be born, never to die. In what follows, I will elaborate a great deal and become more specific about these substantive objections to public financing.

I. INEFFECTIVENESS OF PUBLIC FINANCING

A. FAILURE OF THE CORRUPT PRACTICES ACT

At this time, however, Mr. Chairman, I would like to pursue for a moment the argument that public financing would prove ineffectual. This intended reform is based on the premise that good money in politics would drive out the bad. Good money would be that money contributed generously and indiscriminately by all the taxpayers to parties and candidates who hold all sorts of views. Bad money would be that contributed selectively to certain parties or candidates by self-seeking special interests. Never mind for the moment that not all the bad money, so defined, is really bad—that much of it in fact is undoubtedly good, if we broadly construe the term "special interest," and if we believe, as we say we do, in a pluralistic body politic where every political entity has a right not only to exist but to compete—where the public is served by the clash of these so-called special interests and the synthesizing, as often occurs, of their separate points of view. Never mind, either, for the moment the consideration that evil cannot inhere in money itself. It grows only out of the spirit in which it might be given, or from the understanding with which it is received, if the spirit and the understanding are corrupt.

The point for us to consider, if we accept the premise that the presumptively bad money is bad per se, is whether it will indeed be purged from the political process by the good money that is poured in. Our historical experience, not to mention our political savvy, gives us the answer. In 1925 we gave the country the Corrupt Practices Act, and in subsequent years we enacted a number of amendments. This law said, in effect, that campaign contributions from business corporations—or, it was added later, labor unions—are bad, period. Therefore, such contributions were outlawed. But to what effect? Corporations and labor unions are still in the very center of the political arena. In the end, despite the 1925 enactment and its amendments, we got Watergate. And during the intervening years through the present time, we got this—as Marc Yacker, of the Library of Congress, wrote in a paper prepared for me:

> Many corporations find ways to circumvent the law. Two of the most common methods are the placement of salaried workers, still on the company payroll, on the campaign staff of a candidate, and the "lumping technique," that is, a corporation arranging to pay a regularly used attorney, public relations firm, etc. for debts incurred by the candidate. Other firms contribute, also in violation of the law, by awarding bonuses to their executives with the understanding that the money will be contributed to a candidate or party. Still others allow their corporate officials to be reimbursed for obviously inflated business expenses, supposedly paid for out of pocket. In reality this provides the executive with excess money, again to be contributed to a poltical campaign.

As we know, Mr. Chairman, public cynicism is highly injurious in a democracy; it causes people to lose interest in governing themselves, and to lose confidence in their ability to do it. Two of the prime causes of such cynicism are laws that promise more than they can achieve and laws that are supposedly tough but really are not enforced evenly, if at all. The Corrupt Practices Act was such a law; a statute providing public funds for electioneering, but introducing no further reforms, would be another such law.

Some of the public financing proposals would give us a hybrid system in which candidates could legally receive contributions both from the U.S. Treasury and from private sources. Since this kind of law would permit presumptively bad money to maintain access to the political system and to keep circulating within it, it's difficult to discern what the statute would accomplish, assuming again, as such a law would, in effect, say, that the bad money is truly bad.

Perhaps its principal achievement would be to induce some people into thinking, until they awoke later in disillusionment, that another blow had been struck for reform. Another version of the public financing plan, more forthright and obviously more consistent with its own premises, would outlaw private contributions altogether. This was the strategy of the Corrupt Practices Act, whose weak and hypocritical prohibitions against campaign contributions by corporations and labor unions survive today in our latest piece of reform legislation, the Federal Election Campaign Act of 1971, Public Law 92-225. In other words, preemptive public financing unaccompanied by additional reforms would come to public attention as a dramatic change trumpeting reform but leaving us, in terms of enforcement, exactly where we are today. When the people discover that, they will be that much poorer because their tax moneys will have been used to no effect.

B. ENFORCEMENT: THE MOST NEEDED REFORM

This brings us then, Mr. Chairman, to a third and, in my opinion, the crucial reason for opposing public financing today. In addition to being a placebo and a poison—I shall presently, as I have said, say a great deal more about the poison—public financing would be a diversion. The crusade for it diverts us from giving attention to the reform we really need. What we in Congress, and earnest citizens outside of Congress, should be concentrating on is not the financing problem but the enforcement problem. We should be directing our energies toward establishing in the Government an effective institutional mechanism for enforcement of all the laws we now have, and for whatever additional laws we might yet enact, to regulate the financing of political campaigns. For even if we adopt legislation based on the premise that I challenge, namely, that campaign contributions from anyone except Uncle Sam are inherently bad, what good would such a law do if it were not enforced—if it could not keep the so-called bad money from entering campaigns in some secretive way?

Since the Corrupt Practices Act would be the spiritual progenitor of a public financing law, we ought to examine the reasons why the 1925 legislation failed. Of course, its rationale may have been

faulty to begin with, in the sense that perhaps it is unrealistic to suppose that we can really prevent corporations, labor unions, and other special interest groups from somehow finding a way to use their financial muscle when their vital interests are at stake. If this is true, we are not likely to have much more success with a preemptive public financing law. However, if indeed it is an attainable goal to drive the presumptively bad money out of the political arena, then obviously a strong, continuing enforcement effort would be required. The Corrupt Practices Act did not lay the foundation for such an effort—and, in fact, the law appears to have been contrived to render such an effort unlikely, if not impossible. Enforcement was strengthened somewhat, but not very much, in the 1971 law. This is where we are today, and it is on this weak reed that the advocates of public financing ask us to superimpose an elaborate new system of restraints against special interest groups.

The first policing inadequacy of the Corrupt Practices Act was that it dispersed responsibility for enforcement rather than concentrating it. It enthroned the Clerk of the House and the Secretary of the Senate as satraps who were to receive from the candidates public reports disclosing their campaign contributions and expenditures. The Clerk and the Secretary in turn were supposed to advise the Attorney General of failures to file, and it was to be his job to take it from there.

The second inadequacy of the act should already be apparent; the designated enforcement officers had authority which they could not safely exercise. The Clerk and the Secretary owed their tenure to the incumbents they were policing. And the Attorney General, of course, was an appointee of the President, whose day-to-day work enmeshed him in all sorts of entangling alliances with Members of the House and Senate. Predictably, in the decades that followed there were no prosecutions under the Corrupt Practices Act. In the 1971 updating of the law, it was broadened in scope and new enforcement obligations were spelled out. In addition, a third satrapy was created. The Comptroller General, more independent than the Clerk and the Secretary but still an agent of Congress, was given supervisory authority over the reports filed by Presidential candidates. But the two basic defects of the 1925 legislation were not corrected. We are still stuck today with a policeman on every corner, as it were, operating under no centralized command structure and each of them answerable in subtle ways to the persons they are policing.

What we obviously need, Mr. Chairman, is more self-starting, self-propelled, free-wheeling enforcement machinery operating under a grant of authority that bridges the executive and legislative branches. The machinery ought to be centralized in a new agency of Government that would need no one's permission to exercise its police powers with respect to electioneering by candidates for all the Federal elective offices. The agency would have built-in authority to compel reporting by the candidates, to require timely reporting to verify the completeness and accuracy of the reports to subpena persons and documents, to hold hearings, to publicize its findings and, when necessary, to initiate and prosecute its own cases in court. Such an agency is proposed in a number of bills pending before us, among them S. 372, which passed the Senate last year, and my own H.R. 10218. But the crusade for public financing apears to be monopolizing public attention, diverting us from the more meaningful and effective legislation that would result from a careful examination of the plans for assuring enforcement.

Mr. Chairman, I think most of us would agree that, of all the officials charged with enforcement of the present law, the Comptroller General is the most impartial. As I have indicated, he is one of three so-called supervisory officers, the two others being the Clerk of the House and the Secretary of the Senate. For some time now, he and his agents have this Congress to suggest improvements in the law. The thrust of his thinking is highlighted by these excerpts from his testimony last April 12 before the Senate Subcommittee on Privileges and Elections:

> One year's experience with the Federal Election Campaign Act of 1971 has convinced us of the need for more effective enforcement procedures . . . The Supervisory Officer or his equivalent should be given the power: (1) to require written reports and answers to questions; (2) to administer oaths; (3) to compel testimony and documents by subpena; and (4) to initiate court actions in his own name through his own attorneys . . . In addition, the Supervisory Officer or his equivalent should be authorized to impose civil fines on candidates and political committees or others who violate the Act in ways not appropriate for criminal prosecution, such as late filing of reports, failure to include relevant information, errors in reports, etc. In his discretion, the administrator should be able to impose a fine within statutory limits on the violator and to enforce it through distraint or through a court proceeding.

This is the real business before us, Mr. Chairman. We should get on with it. We would be misleading the people if we were to allow ourselves to become distracted by sideshows produced by outside groups that lack our firsthand knowledge of all that is involved in campaign financing. Because in this instance we are making laws to govern ourselves, no one knows better than we do which restraints on us would really prove effective.

C. DISCLOSURE AS AN ALTERNATIVE REFORM

If we conclude, Mr. Chairman, that even the strictest enforcement would fail to completely insulate campaigns from presumptively bad money, then we ought to consider also proposals to improve the disclosure mechanism in the current law our rationale being that the power of bad money diminishes as it attains visibility. Disclosure, as well as certain outright prohibitions, was a strategy adopted in the 1925 Corrupt Practices Act. Although there was more obfuscation than disclosure in the years that followed, some important strides forward were made in this area in the 1971 legislation. With some of my colleagues, I believe we ought to proceed still further on this road. For instance, H.R. 10218 contains a proposal for a Federal Elections Campaign Bank. The justice Department endorsed this concept in testimony last September 21 before the Senate Subcommittee on Privileges and Elections. I explained my bill in detail in a presentation to the House last September 25. It was published in the CONGRESSIONAL RECORD that day, starting on page 31383.

I for one am convinced that a combination of full disclosure and energetic, impartial enforcement is the prescription we need for effective reform of campaign financing. The Watergate investigations have served as, among other things, an engine for disclosure. No one will deny that these disclosures have had impact and that they are bringing results. I submit that we ought to live for a time in this atmosphere of disclosure and enforcement, and that we see what it can produce, before we veer off on the tangent of public financing—a possibly irrelevant reform that threatens, as I have said, to destroy certain vital functions of our democratic system.

II. POSITIVE ASPECTS OF PRIVATE FINANCING

Mr. Chairman, I would like to pause once more before turning to my substantive objectives against public financing. The reason I leave these objections to the last is that I prefer to address you and our colleagues in positive terms, emphasizing what we ought to be doing rather than what we ought to be avoiding. This is not a polemic in favor of the status quo. But neither is this analysis one that sees no redeeming value at all in certain aspects of the status quo. A conspicuous factor in things as they are is, of course, the system of campaign contributions from nonpublic sources. As I have said, I do not accept the argument that this money is inherently bad. As a matter of fact, I assert the opposite—that such contributions play a constructive and essential role in the unfolding of the democratic process.

I think we can see this more clearly if we describe these contributions not as private, not as nonpublic, but rather as quasi-public in nature. They are quasi-public in the sense that they are publicly disclosed and are contributed for the purpose of achieving results that affect the public—for better or for worse—by bringing influence to bear on officials who are elected by the public. This may be said even of the small sums that many citizens contribute directly on their own initiative, without consulting anyone else, to candidates and parties and politically active groups. It is true even more of the much larger sums that the pressure groups themselves contribute to campaigns. I doubt that anyone would dispute the proposition that these groups are quasi-public in nature, a fact that is implicit, for instance, in laws that in effect grant licenses to their lobbyists. Therefore, it is not valid to assume, as many advocates of public financing do, that some unholy dichotomy exists between public money and what they call private money.

In his study "Campaign Financing and Political Freedom," Ralph K. Winter, Jr. writes:

Contributing to a candidate permits individuals to pool their resources and voice their message far more effectively than if each spoke singly. This is critically important because it permits citizens to join a potent organization and propagate their views beyond their voting districts. Persons who feel strongly about appointments to the Supreme Court, for example, can demonstrate their convictions by contributing to the campaigns of sympathetic congressmen. Those who give money to Mr. John Gardner's Common Cause and conceive of that act as a form of free association and expression should not automatically deny the same status to those who give to political campaigns. . . . That a senator receives large union contributions might be perceived as the reason he often supports union causes. Is not the reverse far more commonly the case: the candidate receives contributions because he holds these convictions? . . . Common Cause, we are told, is presently engaged in an empirical study designed to show "a real correlation" between contributions and legislative decisions. . . . Some such correlation can probably be easily established, since contributions are rarely given either at random or to one's political enemies.

Winter cites more reasons why the presumptively bad money really is good:

The need for campaign money weeds out candidates who lack substantial public support. An attractive candidate with an attractive issue will draw money as well as votes.

And:

The right to give or not to give to a candidate is an aspect of political freedom. Campaign money . . . serves as a barometer of intensity of feeling over potent political issues . . .

By following this train of thought we can see that the private contribution fosters political action. It promotes a clash of ideas. When one pressure group builds a war chest and starts using it, this action makes it virtually certain that opposing interests, too, will solicit their constituencies for financial support. All this, then, helps to finance public discussion and to draw public attention to the controversies that are the sine qua non of democratic government.

OBJECTIONS TO PUBLIC FINANCING

I realize, Mr. Chairman, that nothing I have said so far necessarily rules out public financing on its own merits as at least an addition to the arsenal of reform. It could be argued, in fact, that a program for reform ought to start with the priorities I have outlined here, culminating finally in a system of public financing. This would complete the process, it might be said, of delivering to the public a package that would preclude any future Watergates. But I hope we stop short of putting together that package. Public financing, in my opinion, is not an antidote to Watergate. Instead, being carried forward mindlessly on the emotions engendered by Watergate, it could cause permanent damage to our elective processes. I submit that public financing ought to be assessed, first, in terms of its impact on our traditional political party structure; second, its impact on candidates and incumbent elective officials; and, third, its impact on public participation in elections. Then I will conclude with certain other considerations that we ought to keep in mind.

A. IMPACT ON POLITICAL PARTY STRUCTURE

The specific ways in which public financing could alter or ensconce the traditional political party structure would depend, of course, on the particular plan that is adopted. Some plans would strengthen the parties in undesirable ways; others would have the opposite—but an equally undesirable—effect. Since we do not know which plan might emerge in a viable legislative form, to be debated on the floors of the House and Senate, our safest course at this point is to consider all the contingencies, even though some of them will be seen as mutually exclusive. In other words, if we do not come to one bad result, it will be another.

1. THE MAJOR PARTIES

We ought to start with the two major parties, examining the consequences in terms of their institutional roles. As we know, Mr. Chairman, the Democratic and Republican parties do not represent a bequest made to us by the Constitution. There is no mention of parties in that document, or in any of its amendments.

Although they lack constitutional status it is true that the parties have evolved as part of our political system, and at the present time they appear to be permanent fixtures within it. Even if we assume that continuing evolution will not some day dictate a phasing out of the parties—that is, that the parties are here to stay, and should stay—where is it written that we must have the Democratic and Republican parties that we know today? Other major parties have come and gone for sound historical reasons. But if we agree to underwrite the existence of today's parties with public funds, we will never be rid of them. They will survive as institutions long after they outlive their vitality, long after their constituents abandon them. But is it right for them to live on? Is it constitutional to grant them immortality? As Justice Black has written:

There is, of course, no reason why two parties should retain a permanent monopoly on the right to have people vote for or against them. Competition in ideas and governmental policies is at the core of our electoral process and of the first amendment freedoms.

Obviously, when we give public money to the parties, we are subsidizing the ideologies that they espouse. If we subscribe to the wisdom of Jefferson, who called for separation between church and State, we ought to carry this policy to its logical conclusion and prohibit also any conjoining of ideology and the State. I submit that we should be especially sensitive to this danger in today's world, when ideologies are proclaimed and promoted with religious fervor. To the extent that we subsidize majoritarian ideology, I question whether this is wise or constitutional. Does not this perforce discriminate against individuals and groups that hold minority viewpoints? Does not this make it more difficult for new ideologies, better attuned to a rapidly changing world, to gain a foothold? We ought to beware, Mr. Chairman, of so entrenching the party that we belong to, as well as the opposite party to which our colleagues across the aisle adhere. We should keep in mind that it is under fascism and communism that the state and ideology are entwined.

Further, when we grant to a party a continuing subsidy, we strengthen not only the party but also the leaders in control of the party at the time the subsidies start. We can imagine circumstances under which the leadership, having control of the money, could arrange things so that it would be difficult to oust them from power even after they had lost an important election, or in the face of a movement by younger leaders or reform elements to take over. In 1972, in line with this analysis, the Democratic Party could have remained under the thumb of GEORGE MCGOVERN and Jean Westwood, who had less than universal appeal among Democrats, and the Republican Party in 1964 could have become the possession of BARRY GOLDWATER and Dean Burch and the small party faction that they represented.

In the big cities, to cite another example, the machines could live on long after they had lost true popular support. So not only would public financing bring us permanently entrenched major parties but also leadership superbly equipped to assure the succession to loyalists of their own choosing—in short, a sort of monarchial system of party governance.

There is still a third way in which public funding could lock the parties into positions of power. Giving money to them would strengthen them vis-a-vis candidates carrying the party's banner. If there were a public financing scheme that forced candidates to look to the parties exclusively for financial sustenance, this would diminish the independence of those running for office, and possibly cause them to cut or ignore their ties with other interest groups. Bossism would ride again.

If, the other hand, we were to give the public subsidy to the candidates, rather than to the parties, then we would weaken the party's traditional role as a principal fundraiser, thereby depriving it of an instrument of discipline. Following inevitably, as well, would be a proliferation, if not an explosion, in the number of candidates. With aspirants for office being guaranteed funding by the Government, they would enter the primaries in herds. In large fields such as these, no candidate could hope to achieve more than a modest plurality. The winner then would enter the general election not really as the candidate of a party but merely of a small faction. The overwhelming majority of voters in the primary will have lost. This is true today, of course, in many elections, but public financing of campaigns channeled to the candidates themselves would increase the incidence of such freakish elections, and perhaps make them commonplace.

If we were to give the public money both to the parties and the candidates, as a means of achieving some balance between the alternatives I have just cited, then we could end up being saddled with undesirable aspects of both systems, with neither being able to cure the other.

2. THE MINOR PARTIES

Public financing of elections would also affect profoundly the traditional role of the minor parties in our system of government. Like the major parties, they are not rooted in the Constitution and thus there is no obligation on the part of the citizenry or the Government to perpetu-

ate them. Nonetheless, all of us are familiar with the positive contribution that some of these parties have made throughout our history. Some of the best of them have died, but only after important parts of their platform had been absorbed by the major parties. Others have produced nothing and passed from the scene with good riddance, because their programs were offensive to citizens in a democratic country or because their proposals were foolish or inappropriate to the times. The comings and goings of the minor parties has had the net effect of providing a two-party system, which in turn accounts for the politics of consensus that has kept our country stable and united. Against this background, any tampering with the two-party system and with the means of absorption of the minor parties, or conversely an upset in the political dynamics of our Nation so as to discourage the birth of third parties, is bound to have deleterious results. Jack H. Haskell of the Library of Congress staff, in a paper last August, summed up all that would be at stake for minor parties under varying schemes of public financing. He wrote:

It is contended by some that since third parties must garner a certain percentage of the vote before being eligible for public funding, the requirement may unfairly discourage the operation and formulation of third or new parties and so may dry up an important source of new ideas and original solutions which are often eventually adopted by the major parties.

On the other hand it has been suggested that the expectation of public funding if a certain number of votes can be polled may encourage the proliferation of minor and new parties. This is seen by some to be a serious threat to the stability of our two-party system of government since varying factions, instead of being encouraged to work for change within the structure of one of the two major parties, would now be encouraged by the expectation of free funding to form a new "splinter" party. Further objections are raised that public funding may perpetuate minor political parties which would otherwise have only short-run or temporary popularity since funding of third parties may partly be based upon performance of the party in the previous election four years before. Others question the wisdom of the government or the desire of the general public to support or perpetuate radical "fringe" parties or racist-oriented third parties which may have established a modicum of public support.

As to the litters of minor parties that might result from a system of public financing, perhaps the ultimate danger would be the formation of a religious party. Would the constitutional prohibition separating church from state then become operative, depriving such a party of the public funds that other parties are getting? If not, would not most Americans find it obnoxious—if not dangerous—to in effect be subsidizing a religious doctrine? On the other hand, if religious parties are to be barred from receiving the public funds that other parties receive, how is a religious party to be defined? It appears to me, Mr. Speaker, that nothing could save the state under these circumstances from becoming entangled with one or more of the religions.

B. IMPACT ON OFFICEHOLDERS

Apart from its impact on the parties, public financing would have a separate effect on candidates and persons already holding public office. It would come as another boon to the incumbents. Frankly, Mr. Chairman, I should think that we ought to be embarrassed about asking the taxpayers for any more favors, in view of the perquisites of office that we already hold and the fact that they have proved so useful in keeping us here. For example, the franking privilege used in certain ways gives us a leg up on our challengers, and we can see the evidence of this in the election results.

So we already have our subsidies, the one in this example being an enormous—and unlimited—allowance to pay for the mailing of letters, illustrated newsletters and all sorts of other materials to our constituents. On top of all this, we would get another handout from the Government through public financing of our campaigns. In a public funding plan that gives an equal amount to each candidate, we still would maintain the perquisite gap. In a plan that doles out money based on performance in previous elections, we would automatically get more money than the challengers. In a plan of public financing that is less than preemptive, some incumbents might twist the situation to their advantage by using the taxpayer's funds, in effect, as seed money to attract still more private contributions. Allow me to explain, Mr. Chairman. Suppose we have an incumbent who is fairly well entrenched. He is able to build only a small war chest, election after election, because his opposition is light and financial angels among his supporters see no serious threat to him. But then some public money is thrown into the campaign. As a result, attracted by the certain prospect of financial assistance, a strong challenger enters the race—or a number of challengers do. The survival of the incumbent, under these conditions, is not to be taken for granted. So he goes to his supporters and persuades them to open their wallets. This, of course, stimulates parallel activity by the opposition. But in any such fundraising contest, as studies have shown, the incumbent has important advantages that virtually assure him of outsoliciting his challengers. Surplus funds he might raise could then be put in the bank to give him a head-start 2 years later, or 4 years later, in a race for higher office. In the meantime, the challenger has found the public financing kitty to be of only passing advantage. He himself might be no worse off financially than when he started, but the taxpayer is behind and the incumbent might be ahead, because he has picked up some cash that otherwise would have been withheld from him.

Yet it is not only money that taxpayers might lose. They might also be deprived, under a scheme of public financing, of the opportunity to hear a spirited, truly informative discussion of the issues. Winter has written:

We are told that subsidies will "reduce the pressure on Congressional candidates for dependence on large campaign contributions from private sources . . ." If, however, one reduces the pressure on candidates to look to the views of contributors, to whom will the candidates look instead? The need to raise money compels candidates to address those matters about which large groups feel strongly. Candidates might well, upon receiving campaign money from the government, mute their views and become even more prepackaged. Eliminate the need for money and you eliminate much of the motive to face up to the issues. Candidates might then look more to attention-getting gimmicks than to attention-getting policy statements. A subsidy combined with spending limits might insulate incumbents both from challengers and the strongly held desires of constituents.

We should not overlook, either, Mr. Chairman, the fact that appropriations for a campaign-financing program would be controlled by persons already holding those offices that would be at stake in the next election. The implications of this are worth reflecting on, in view of what we in Congress describe as the power of the purse. At the very least, it seems to me, we would be plunging the Federal Government, which heretofore has largely been held at arm's length, into the election process. At worst, this would result in incumbent officeholders, or perhaps their agents, meddling in disputes over what did, or did not, constitute a justified use of public-supplied campaign funds. I wonder: Would we end up, for instance, with censorship of political advertising messages?

C. IMPACT ON PARTICIPATORY POLITICS

Mr. Chairman, public financing also would have an adverse impact on public participation in the election process. I question how we would enhance liberties if we clamp restraints on the citizens of any class denying them the right to contribute to a candidate who has already shown by his record that he is a champion of that group, or who has persuaded the group that he definitely will take up their cause. As Haskell has put it:

It is questioned whether it is wise to diminish the influence of groups which represent the opinion of a large segment of the electorate, such as the political arms of labor organizations or commercial groups. The objective of collective action, such as collective bargaining for instance, is to centralize, and so to increase the bargaining power of individuals to meet the legitimate demands of these persons who may not have the influence to receive consideration as individuals. It is feared that through public financing the needs of certain individuals, for example laborers, may not be met since the means through which they may exert their collective influence, through organizations such as COPE, will be substantially limited. Those who disagree with this premise contend that private interest groups may represent their members by exerting their influence through channels others than direct financial support of candidates. This contention, however, at the same time may weaken the original argument that public financing would free a candidate from the influence of special interest groups.

I would venture to say, Mr. Chairman, that the ordinary workingman has a rather keen sense of the power he is able to command through his union, and an equally accurate estimate of his helplessness if he is forced to stand alone. If he were barred by a new law, for reasons obscure to him, from giving his few dollars to the only candidate who seems interested in him, his sense of there being something foul afoot would harpen his cynicism, and he probably would turn off politically retreating to apathy. At the same time, affluent persons with more free time than the workingman would remain on the political stage, and might end up hogging a good

part of it for themselves. Also remaining front and center would be the activist, highly educated persons who are able to bring to bear in a campaign more than just money—such as a knowledge of the details of many issues; an ability to articulate their points of view; and all the self-confidence that comes from these attributes. It is these same persons who frequently influence, and in some places also control, the news media. While their role in elections is just as constructive as that of the workingman, we ought not to take action that in effect gives them a greater voice than is justified by their numbers in the population. Of course, this is what we do when we brush aside the workingman.

D. OTHER CONSIDERATIONS

There are a number of other considerations, Mr. Chairman, that militate against public financing. I would like to cite just a few:

If a voter disagrees strongly with a candidate, should he be forced to help pay for his message? Winter has stated the problem this way:

> What would happen if a racist ran for office and delivered radical and quasi-violent speeches? One result might be cries for even more regulation—in particular, for regulation of the content of political speech.

To the extent that the largest sums of money are contributed by those who can best afford it, and whose personal financial stake in our system is greater, is this not after all, as it should be? Does this not unofficially parallel, in a sense, the principle of progressive taxation? Some body has to pay for political campaigns. If we take the money out of the public till, the cost of it will fall disproportionately on the low-middle and lower income groups. This is so because our Federal income tax system is not as progressive as it is supposed to be, or as we like to pretend that it is.

The cost of public financing might become burdensome, and this could take money away from vital public programs. We can assume a steady escalation of costs because, to cite one reason, for the incumbents to increase the amounts of the grants to themselves enhances their sense of power and their actual power. To political animals like us, having more money to dispense would be akin to having more patronage at our command. I doubt that we would spurn larger and larger grants even if the price for this would be to have to share the extra money with our challengers. Is there a politician among us who would deny that some of us are adept at making deals with the opposition? And who would be the beneficiaries of all this largess? Again, I would like to cite but one example, Mr. Chairman. Arlen Large wrote in the Wall Street Journal last year:

> In recent years a whole industry of campaign advertising specialists has mushroomed to advise candidates on how to spend their privately collected money. With an assured supply of financing from public tax funds, the campaign consultant would become just one more parasitic operator who, like a commercial income tax preparer, thrives merely because the government exists

IV. CONCLUSION

I would like to conclude, Mr. Chairman, with an observation by Alexander Heard, an authority on campaign costs, who noted in his work "Costs of Democracy:"

> It has been repeatedly demonstrated that he who pays the piper does not always call the tune, at least not in politics. Politicians prize votes more than dollars.

Let us not get carried away, then, Mr. Chairman, by getting hung up on the financial aspects of politics. Let us examine carefully the case against public funding of elections, as it has been outlined here and elsewhere. Or better yet, why not lay the question aside for the time being and get on with the reforms we truly need at this time? Thank you, Mr. Chairman.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment before us has a great deal to recommend it. It is thoroughly bipartisan. Therefore, it is particularly appropriate, in light of the amendment's broad based political support, that it offer, as it does, the chance for matching public funding of congressional races, only where there is broad based public support for candidates. The amendment provides for matching funds, only after a candidate has raised, at least 10 percent of his maximum spending limit, through private contributions of $50 or less. Accordingly, so-called frivolous candidates will find it extremely difficult to benefit under this amendment.

The other significant proposition of this measure is, that what matching funds are provided, come only from the dollar checkoff fund. If there are no funds available in the fund, then no matching funds will be paid out. Thus, only the support of the taxpaying citizens of this country will serve to finance matching funds from the checkoff fund. These people will know that their taxes will not increase or decrease because of the fund. What they will know, and what they will be able to judge for themselves, is whether we should take the move, of providing a mix of public, as well as private funding, for Federal election campaigns.

This decision, Mr. Chairman, puts the average citizen of this Nation in the driver's seat as far as public funding of elections goes. It makes such concepts as populism and grassroots supports—which, as expressions of the English language, have been overused and therefore have lost much meaning—it makes them more real and more viable in political parlance. If a mixture of public and private financing for Presidential elections can help to make the little people of this Nation more of a factor in Presidential races, there is little reason to deny this privilege to congressional races. I suggest, that it will do as much as anything since universal suffrage to put individual choices and community feeling in the forefront of Federal elections. It is going to put the average citizen right up front in national decisionmaking, a position that he or she long ago lost to the big money contributors. And finally, and most importantly, such a shift in real voting power is going to bring citizens a lot closer to their government. This will mean the defeat of national cynicism about our political system that has grown so rapidly since Watergate. It is also going to produce a feeling of involvement that I am confident will lead to a reestablishment of confidence in government. After all, it stands to reason that the more involved you are in an activity, the more committed you feel to its goals, the more stout is your defense of those goals and the more cohesive and unfragmented that activity can become.

Those symptoms can be true for this country as well. I feel that real participation in congressional elections can be an essential part of that revolutionary change. I therefore urge adoption of this well balanced and broad based amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. UDALL).

The question was taken; and the Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. ANDERSON of Illinois. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 228, not voting 19, as follows:

[Roll No. 467]

AYES—187

Abzug	Frey	Moorhead, Pa.
Adams	Giaimo	Mosher
Addabbo	Gilman	Obey
Anderson, Calif.	Grasso	O'Brien
	Green, Pa.	Owens
Anderson, Ill.	Grover	Parris
Andrews, N.C.	Gude	Patten
Andrews, N. Dak.	Gunter	Peyser
	Hamilton	Pike
Aspin	Hanley	Podell
Badillo	Hanrahan	Preyer
Bergland	Harrington	Pritchard
Biester	Harsha	Quie
Bingham	Hastings	Railsback
Boggs	Hawkins	Rangel
Boland	Heckler, Mass.	Rees
Bolling	Heinz	Regula
Bowen	Henderson	Reid
Brademas	Hicks	Reuss
Breckinridge	Hillis	Riegle
Broomfield	Holtzman	Rinaldo
Brotzman	Horton	Robison, N.Y.
Brown, Calif.	Hungate	Rodino
Buchanan	Johnson, Calif.	Roncallo, Wyo.
Burke, Calif.	Johnson, Pa.	Roncallo, N.Y.
Burlison, Mo.	Jones, Okla.	Rooney, Pa.
Burton, John	Jordan	Rosenthal
Burton, Phillip	Karth	Roush
Clay	Kastenmeier	Roy
Cleveland	Kemp	Roybal
Cochran	Koch	St Germain
Cohen	Kyros	Sarasin
Collier	Leggett	Sarbanes
Collins, Ill.	Lehman	Schroeder
Conable	Lent	Seiberling
Conlan	Litton	Shriver
Conte	Long, La.	Smith, Iowa
Conyers	Luken	Smith, N.Y.
Cotter	McCloskey	Stanton, J. William
Coughlin	McCormack	
Cronin	McDade	Stark
Culver	McEwen	Steele
Dellenback	McKay	Steiger, Wis.
Dellums	McKinney	Stokes
Diggs	Madigan	Stratton
Donohue	Mallary	Studds
Drinan	Maraziti	Symington
du Pont	Matsunaga	Taylor, N.C.
Eckhardt	Mayne	Thone
Edwards, Calif.	Mazzoli	Tiernan
Eilberg	Meeds	Traxler
Esch	Melcher	Udall
Eshleman	Metcalfe	Van Deerlin
Evans, Colo.	Mezvinsky	Vander Veen
Fascell	Miller	Vanik
Fish	Mills	Waldie
Foley	Minish	Walsh
Forsythe	Mitchell, Md.	Ware
Fraser	Mitchell, N.Y.	Whalen
Frelinghuysen	Moakley	Whitehurst

Wilson, Charles, Tex.	Wyatt	Young, Ill.
Winn	Wydler	Zablocki
Wolff	Yates	Zwach
	Young, Ga.	

NOES—228

Abdnor	Fulton	Passman
Alexander	Fuqua	Patman
Annunzio	Gaydos	Pepper
Archer	Gettys	Perkins
Arends	Gibbons	Pettis
Armstrong	Ginn	Pickle
Ashbrook	Goldwater	Poage
Ashley	Gonzalez	Powell, Ohio
Bafalis	Goodling	Price, Ill.
Baker	Green, Oreg.	Price, Tex.
Barrett	Griffiths	Quillen
Bauman	Gross	Randall
Beard	Gubser	Rhodes
Bell	Guyer	Roberts
Bennett	Haley	Robinson, Va.
Bevill	Hammer-schmidt	Roe
Biaggi	Hanna	Rogers
Bray	Hays	Rose
Breaux	Hébert	Rostenkowski
Brinkley	Hechler, W. Va.	Rousselot
Brooks	Helstoski	Runnels
Brown, Mich.	Hinshaw	Ruppe
Brown, Ohio	Hogan	Ruth
Broyhill, N.C.	Holt	Ryan
Broyhill, Va.	Hosmer	Sandman
Burgener	Howard	Satterfield
Burke, Fla.	Huber	Scherle
Burke, Mass.	Hudnut	Schneebeli
Burleson, Tex.	Hunt	Sebelius
Butler	Hutchinson	Shipley
Byron	Ichord	Shoup
Camp	Jarman	Sikes
Carney, Ohio	Johnson, Colo.	Sisk
Carter	Jones, Ala.	Skubitz
Casey, Tex.	Jones, N.C.	Slack
Cederberg	Jones, Tenn.	Snyder
Chamberlain	Kazen	Spence
Chappell	Ketchum	Staggers
Clancy	King	Stanton, James V.
Clark	Kluczynski	Steed
Clausen, Don H.	Kuykendall	Steelman
Clawson, Del	Lagomarsino	Steiger, Ariz.
Collins, Tex.	Landgrebe	Stephens
Corman	Landrum	Stubblefield
Crane	Latta	Stuckey
Daniel, Dan	Long, Md.	Sullivan
Daniel, Robert W., Jr.	Lott	Symms
	Lujan	Talcott
Daniels, Dominick V.	McClory	Taylor, Mo.
	McCollister	Thompson, N.J.
Danielson	McFall	Thomson, Wis.
Davis, S.C.	Macdonald	Thornton
Davis, Wis.	Madden	Towell, Nev.
de la Garza	Mahon	Treen
Delaney	Mann	Ullman
Denholm	Martin, Nebr.	Vander Jagt
Dennis	Martin, N.C.	Veysey
Dent	Mathias, Calif.	Vigorito
Derwinski	Mathis, Ga.	Waggonner
Devine	Michel	Wampler
Dickinson	Mink	White
Dingell	Minshall, Ohio	Whitten
Dorn	Mizell	Widnall
Downing	Montgomery	Wiggins
Dulski	Moorhead, Calif.	Wilson, Bob
Duncan	Morgan	Wilson, Charles H., Calif.
Edwards, Ala.	Moss	
Erlenborn	Murphy, Ill.	Wright
Evins, Tenn.	Murtha	Wylie
Findley	Myers	Wyman
Fisher	Natcher	Yatron
Flood	Nedzi	Young, Alaska
Flowers	Nelsen	Young, Fla.
Flynt	Nichols	Young, S.C.
Ford	Nix	Young, Tex.
Fountain	O'Hara	Zion
Frenzel	O'Neill	
Froehlich		

NOT VOTING—19

Blackburn	Hansen, Idaho	Rarick
Blatnik	Hansen, Wash.	Rooney, N.Y.
Brasco	Holifield	Shuster
Carey, N.Y.	McSpadden	Teague
Chisholm	Milford	Williams
Davis, Ga.	Mollohan	
Gray	Murphy, N.Y.	

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time simply to advise the House that I have an amendment which, except for the rule that was adopted and which I opposed, would be in order at this point and which I would have offered at this point. My amendment would add a new title to the bill, a title that would provide for free political broadcasting.

I believe that if we could get free political broadcasting over the airways that are owned by the people and are regulated by the Government, we could eliminate one of the most expensive aspects of campaigning.

In case any Members are interested in my proposal it appears on page 27044 in the RECORD for August 6, 1974, and it also is contained in H.R. 14520.

Under the rule, as I say, which I opposed, my amendment is not in order to this bill. That is most unfortunate. Because if we are going to do a thorough job of controlling excessive campaign spending we ought to consider this matter very seriously. I hope at some future time this amendment of mine will be in order for serious and careful consideration by this House.

Mr. HAYS. Mr. Chairman, I wish to propose a unanimous-consent request, and that request is as follows:

Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto cease at 6:15 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Members standing at the time the unanimous-consent request was agreed to will be recognized for approximately 1 minute and 20 seconds each.

The Chair recognizes the gentleman from New York (Mr. KOCH).

AMENDMENTS OFFERED BY MR. KOCH

Mr. KOCH. Mr. Chairman, I offer two amendments.

The Clerk read as follows:

Amendments offered by Mr. KOCH: Page 79, immediately after line 9, insert the following new section:

CAMPAIGN MAIL

Sec. 410. (a) Chapter 95 of the Internal Revenue Code of 1954 (relating to Presidential Election Campaign Fund) is amended by adding at the end thereof the following new section:

"SEC. 9014. CAMPAIGN MAIL.

"(a) DEFINITIONS.—For purposes of this section—

"(1) the term 'campaign mail' means any piece of mail which does not exceed the maximum weight per piece of mail allowable if mailed at the lowest rate per piece established by the Board of Governors of the Postal Service for bulk rate mailings of circulars by qualified nonprofit organizations, and which is mailed by any candidate for the purpose of influencing the election of such candidate;

"(2) the term 'candidate' has the meaning given it by section 301(b) of the Federal Election Campaign Act of 1971, except that such term does not include a candidate for the office of President or Vice President of the United States;

"(3) the term 'eligible candidate' means any candidate who is eligible under subsection (c) to receive campaign mail payments;

"(4) the term 'supervisory officer' means the Secretary of the Senate with respect to candidates for the office of Senator, and the Clerk of the House of Representatives with respect to candidates for the office of Representative, Delegate, or Resident Commissioner; and

"(5) the term 'State' has the meaning given it by section 301(i) of the Federal Election Campaign Act of 1971.

"(b) Campaign Mail Entitlement.—Any candidate who establishes his eligibility under subsection (c) shall be entitled to receive payments for campaign mail under subsection (d).

"(c) ELIGIBILITY.—

"(1) In any general election, any candidate who—

"(A) has met the qualifications prescribed by the applicable laws to hold the Federal office for which he is a candidate, and is the candidate of a political party whose candidate in the most recent general election for the office involved received at least 15 percent of the popular votes received by all candidates in such general election; or

"(B) transmits to the Secretary of State for the State in which the election is held (or, if there is no office of Secretary of State, to the equivalent State officer), no later than 45 days before the date of the general election, a petition containing the signatures of at least 5,000 individuals registered to vote in the geographical area in which such general election is held,

shall be entitled to receive campaign mail payments under subsection (d).

"(2) The Secretary of State for the State in which the election is held (or, if there is no office of Secretary of State, the equivalent State officer) shall take appropriate steps to certify signatures contained in petitions transmitted by any candidate under paragraph (1)(B). Upon completion of certification, the Secretary of State shall transmit such petitions to the appropriate supervisory officer. The supervisory officer shall not declare any candidate to be eligible to receive allotments until the supervisory officer receives such petitions from the Secretary of State. Each such certification shall be completed no later than 30 days before the date of the election involved.

"(d) PAYMENTS.—

"(1) Every eligible candidate shall be entitled to receive payments from the Secretary under paragraph (2) for the mailing of a number of pieces of campaign mail equal to the number of individuals registered to vote in the geographical area in which the general election is held.

"(2) The Secretary shall make payments to an eligible candidate for mailings under paragraph (1) upon the receipt of certification from such candidate that such payments shall be used exclusively for the mailing of campaign mail. The Secretary shall make such payments out of the Presidential Election Campaign Fund established by section 9006(a). Such payments shall be made, however, only after the Secretary determines that amounts for payments under sections 9006(c), 9007(b)(3), and 9037(b) are available in the fund for such payments.

"(3) Whenever a payment is made by the Secretary under this section with respect to campaign mail of any eligible candidate, an amount equal to the amount of such payment shall be attributed toward the expenditure limitation of such candidate under section 608(c) of title 18, United States Code."

(b) Section 9012(c) of the Internal Revenue Code of 1954 (relating to unlawful use of payments) is amended by inserting "or under section 9014(d)" immediately after "9006".

(c) The table of sections for chapter 95 of the Internal Revenue Code of 1954 (relating to the Presidential Election Campaign Fund) is amended by adding at the end thereof the following new item:

"Sec. 9014. Campaign mail.".

And redesignate the following section accordingly.

Page 79, line 15, strike out "and 409" and insert in lieu therof "409, and 410".

Mr. KOCH. Mr. Chairman, one of the amendments is a perfecting amendment, the other is related to public financing,

but is a different version and limited solely to a single mailing for which the checkoff system would be used to provide the funds.

The CHAIRMAN. The Chair will have to say that there may be a question of a point of order on these amendments.

POINT OF ORDER

Mr. HAYS. Mr. Chairman, I make a point of order on the amendments. The gentleman from New York was kind enough to offer one of the amendments to me, the one referring to page 79, after line 9, on campaign mail. I will reserve a point of order if the gentleman from New York wishes to use the balance of his time to explain the amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. KOCH. Mr. Chairman, I would hope that the Chair would find the amendment in order because I believe it is a different version of public financing which is in order under the bill. Of course, the amendment was published in the CONGRESSIONAL RECORD.

What it does is to provide funds out of the checkoff funds to the candidates in the general election for one mailing, so as to give to candidates an equal opportunity to present themselves to the constituency.

The CHAIRMAN. The time of the gentleman has expired.

Does the gentleman from Ohio press his point of order?

Mr. HAYS. I am not sure I know what the second amendment is.

Mr. KOCH. It is just a perfecting amendment to locate the numbers within the bill itself. It does not change the amendment.

Mr. HAYS. Mr. Chairman, I do press my point of order against the amendments. I object to the first amendment, which is obviously subject to a point of order in that it appropriates money and orders the Secretary to make payments.

The second amendment is an amendment to that amendment, or a correcting amendment, so that if the first amendment is out of order then the second one is also.

The CHAIRMAN (Mr. BOLLING). The Chair is ready to rule.

The point of order raised by the gentleman from Ohio (Mr. HAYS) is well taken. The first amendment offered by the gentleman from New York (Mr. KOCH) constitutes an appropriation on a legislative bill in violation of clause 4, rule XX, and is not protected by the rule. The second amendment is not in order under House Resolution 1292. Therefore the point of order is sustained.

The Chair recognizes the gentleman from Florida (Mr. HALEY).

(By unanimous consent, Mr. HALEY yielded his time to Mr. HAYS.)

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. YOUNG).

Mr. YOUNG of Illinois. Mr. Chairman, there are many provisions in the Federal Election Campaign Act Amendments of 1974 which improve the conduct of Federal elections. Because of these positive features, I urge my colleagues to also vote for final passage of this bill, even though I have grave reservations about some of its provisions and about the failure of this bill to add other necessary provisions.

The forward-looking provisions of the bill provide for an independent administration-enforcement board for the Federal Campaign Act. There will be four citizen-members, with two Republicans and two Democrats, with civil enforcement powers, subpena powers, and the authority to regulate campaign financing laws.

There will be a limitation on contributions. The amount is $1,000, which I think is too small, but I do believe that there should be a limitation on contributions. There is also a $5,000 limitation on contributions by committees. This provision is not to my liking since it will continue to provide "special interest" financing that will dilute public confidence in public officeholders. I would have preferred eliminating all committee contributions other than contributions from the recognized Republican and Democratic Party committees.

The $100 limitation on "cash" campaign contributions is excellent. The limitation on honorariums of $1,000 per appearance and $10,000 per calendar year is another step that will create greater confidence in public officials.

I strongly support the prohibition against "laundering" campaign funds and the bad practice of earmarking contributions through committees.

I think there should be a limitation on expenditures, but I believe that the $60,000 limitation is an unrealistic one. Any such limitation should have been at least $100,000 to afford challengers a better opportunity in their contest.

The designation of a principal campaign committee with all expenditures to be made and accounted for through such campaign committee is a great step forward. The reduction of reporting requirements and the publication of lists of those who fail to file are good steps that will eliminate unnecessary paperwork and make delinquencies known.

The bill repeals media limitations since they are not necessary with the limitations on total spending. The bill permits State and local officials to participate in political campaigns, and it preempts State law where there is a conflict.

I think there are some other deficiencies that should be noted. The recognized political parties are limited to contributions of not more than $5,000. I think that this limitation should be at least $15,000. There are inadequate prohibitions and regulations pertaining to special interest groups. "Pooling" is still permitted, and "in kind" contributions may be made.

There is not a sufficient prohibition against the "dirty trick" type of campaign activity.

Unfortunately, in the determination of whether or not to vote for this bill, we must weigh the good against the bad. In this case, the good outweighs the bad, although by a slighter margin than is desirable. At any rate, we can hope that the House-Senate conference will improve the bill in the areas where it is weak.

(By unanimous consent, Mr. CARNEY of Ohio yielded his time to Mr. HAYS.)

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. ZION).

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. ZION. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Chairman, the revelations of the last few months have convinced me of the need for a meaningful election reform bill. Our Nation cannot afford a continuation of the massive campaign abuses that have marred our electoral process in the past.

The so-called campaign reform bill now before the House, however, is not the type of reform that we need.

First, the bill leaves open one of the largest loopholes in our current law: in-kind contributions by labor unions. Tens of millions of dollars—taken from workers as union dues—are used in behalf of selected candidates to cover the costs of printing, materials, office space, telephones, and many other campaign items. Why should these labor union contributions be treated any differently than other contributions? Unlimited in-kind contributions by any special interest group must be stopped if we are to have truly meaningful campaign reform.

Second, the bill fails to establish an independent Federal Elections Commission to enforce the law. As the Senate Watergate Committee has pointed out, enforcement is the key factor in regulating the way campaign funds are raised and spent. The so-called election reform bill turns this function over to congressional employees and appointees, who will be responsible for policing the Congress and drawing up rules and regulations on campaign practices. Two congressional committees will have the power to veto these rules and regulations. Such a conflict of interest must be eliminated and an independent commission established if we are to have an effective campaign reform measure.

Third, the bill provides for matching taxpayer financing in Presidential primaries. A candidate could receive up to $5 million in public funds. Such financing would encourage frivolous candidates without significant support to file for office in order to receive public money. There is also a serious question whether a taxpayer's money should be used to finance the campaign of a candidate with whom he completely disagrees. In addition, public financing would weaken the two-party system and party structure, as candidates would be funded directly by Government tax money. Public financing is not the magic cure-all to our Nation's electoral problems. In fact, in many ways it would make matters worse.

Fourth, the bill allows special interest groups to pool their members' contributions and then pour large amounts into selected campaigns. Pooling of funds by special interest groups should be prohibited. Contributors should be required to designate the recipient of their donations and be identified for purposes of full disclosure.

Therefore, Mr. Chairman, I cannot support this legislation unless the House makes substantial changes in its provision. I urge my colleagues to pass a truly meaningful campaign reform bill.

Mr. ZION. Mr. Chairman, we des-

perately need a good campaign reform bill. It is long past time that special interest groups be prevented from buying an election. Unfortunately, this act does not acomplish this purpose. This bill was authored by the chairman of the Democratic Campaign Committee, who is also chairman of the House Administration Committee having jurisdiction over the legislation. It came out of the Democratic dominated Rules Committee in a fashion that prevented Republican Members from introducing perfecting amendments.

It does nothing, for example, to prevent big unions from spending $50 million in cash and contributions in kind. It does nothing to stop the use of involuntary dues to pay union officials for campaigning purposes, or to pay printing, postage, and telephone costs for union-endorsed candidates. A recent AFL–CIO publication, mailed by a tax-supported subsidy, called for a veto-proof Congress. It does not permit a union member to determine what candidate his money is used to support, either by dues or voluntary contributions.

The Board of Supervisors is hardly impartial in that it is appointed by sitting Members of the Congress. This bill is clearly an attempt to protect sitting Democratic Members of Congress. It is one of the most serious abuses of political power I have ever seen.

Since the need for campaign reform is so obvious, and since this bill does little to provide this reform, I reaffirm my own policy and pledge in this regard:

I will accept not one dime personally in the forthcoming campaign. All contributions must be sent to my regular campaign organization.

I have instructed my campaign committee not to accept any contributions from any person over $200, nor will I accept any contribution over $1,000 from any organization, lobby, or interest group whatsoever except my own political party.

This limitation on receipts applies across the board to any group which might have a legislative ax to grind—the AMA, chamber of commerce, National Association of Manufacturers, pharmaceutical manufacturers, organized labor—any group at all who might feel entitled to special legislative considerations because of a large donation to my reelection campaign.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. TREEN).

Mr. TREEN. Mr. Chairman, I rise in opposition to the bill, not because I do not think we need some election reform, because we certainly do, but I think the worst abuse is taken care of when we set a limit on the amount that any contributor can give.

That limit may still be too high. I voted against the amendment to increase. But I see no sense in setting an aggregate limit, which limit is now $60,000 after the amendment reducing it from $75,000. If a candidate can go out and raise funds exceeding that aggregate from any number of persons, in order to raise a campaign fund that is necessary to make a challenge, he should be permitted to do this. And he can't make a challenge against an incumbent for $60,000.

We incumbents have the right to send out newsletters ad infinitum, and the postage alone is worth $16,000 or $18,000 each time. When we send out a mailing, we can bring into every household our message. We can do this any number of times. But the challenger, who can only hope to win by exposing a poor voting record, is limited to $60,000 for all his campaign expenses.

This bill is unfair to challengers; it is an incumbent protection bill, and it ought to be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. BUTLER).

Mr. BUTLER. Mr. Chairman, in the interest of saving time, I will not introduce an amendment which appears on page 27047, having discussed the matter with the chairman.

I will take this time, if I may, to ask the chairman: The matter that concerns me is, if this legislation is held unconstitutional, or portions of it, what will be the status of the various spending limitations? I will ask the Chairman if an agreement in writing between the candidates for nomination or election to any specific Federal office, agreeing to abide by these limitations, would be valid and binding even though the legislation is held unconstitutional?

Mr. HAYS. If the gentleman will yield, in my judgment, there is no question but what such agreement would be binding and valid, and if broken, it would be subject to civil penalties and civil liabilities.

Mr. BUTLER. I thank the gentleman. Relying on that assurance, I see no necessity for this amendment. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. MCEWEN).

Mr. MCEWEN. Mr. Chairman, I regret that the amendment that would make an agreement between candidates to establish limitations on contributions and expenditures less than those provided in this legislation was not considered. The text of this amendment appears on page 27047 of the CONGRESSIONAL RECORD, of August 6, 1974.

The American people are concerned about the ever-increasing cost of elections, yet in many contests the amounts now expended are substantially less than the limits imposed by this legislation. Why then should the candidates themselves not be permitted to enter into binding agreements to limit campaign expenditures to an amount less than what this bill would permit? I think they should. More importantly, I think that the people think they should.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. COLLIER).

(By unanimous consent, Mr. COLLIER yielded his time to Messrs. SHUSTER and NELSEN.)

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

(By unanimous consent, Mr. SHUSTER was allowed to speak out of order.)

PERSONAL EXPLANATION

Mr. SHUSTER. I was unavoidably detained in the Rayburn Office Building on a matter concerning my district and arrived in the Chamber 1 minute after the vote occurred on the Udall-Anderson amendment. Had I been here, I would have voted "nay."

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. NELSEN).

AMENDMENT OFFERED BY MR. NELSEN

Mr. NELSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NELSEN: Page 79, immediately after line 9, insert the following new section:

"POLITICAL ACTIVITIES BY CERTAIN OFFICERS AND EMPLOYEES

"SEC. 410. Notwithstanding any other provision of law, any State or local officer or employee employed by a State or local agency whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a Federal agency, other than any activity which is financed in whole or in part through Federal revenue-sharing programs, shall be subject to the provisions of chapter 15 of title 5, United States Code, as such provisions existed on the day before the effective date of this Act."

And redesignate the following section accordingly.

Mr. BRADEMAS. Mr. Chairman, I reserve all points of order on the amendment.

Mr. NELSEN. Mr. Chairman, under the terms of this bill, and it has already been called to my attention this afternoon, the Hatch Act is amended in this bill, and the explanation that was given to me is that the terms under the Hatch Act, where Federal revenue-sharing funds were distributed to the States, automatically then the feeling was that the State employees who had anything to do with funds that came from the Federal Government would automatically be under the Hatch Act and restricted at State level. But under the terms of the bill, this goes beyond that. For OEO and every other Federal program that is out there, we open the door where one can get his feet in the trough and dip in.

In the District of Columbia we have 53 employees in the Executive Office, 423 in Manpower, 700 in the Mayor's Office, 1,200 in the Apprenticeship Council, 1,652 in the Department of Human Resources, for a total of 17,535 employees. These employees would be partially "unhatched" under this bill.

And again we get the spoils system on the way back.

This amendment of mine would not interfere with any State dealing with revenue-sharing funds at all. Everything would remain as it is, but in these other basically federally funded programs administered by State employees it would bar them from getting into the activity of partisan politics as would certainly happen if the restriction is lifted where the Hatch Act now applies.

I served on the Hatch Act Commission and we carefully went into this and my feeling is it would be a mistake to go that far.

Mr. Chairman, I wish to amend this bill so that the provisions of section 401,

which I am not amending, but merely clarifying, so as to insure that their applicability extend only to those State and local employees financed with Federal revenue-sharing funds. The Hatch Act presently prohibits activities of State and local employees where their "principal employment is in connection with an activity that is financed in whole or in part by loans or grants made by the United States or a Federal agency."

I wish to state that I served on the Commission on Political Activity on Government Personnel, which published its report in 1967. That Commission was chaired by Arthur S. Fleming, former Secretary of Health, Education, and Welfare under President Eisenhower, and the Vice Chairman was former Senator Daniel B. Brewster, from the State of Maryland. One of the principal studies of that Commission had to do with the application of the Hatch Act on Federal, State and local employees. I took the position on that Commission that the Hatch Act should not be tampered with in any way, lest we revert to the spoils system, which certainly applied to Federal employees at an early date, and which I found to be true in the Executive Department of the State of Minnesota when I first entered politics and served in the Minnesota State Senate in the mid 1930's.

There have been persistent attempts to amend the Hatch Act in one way or another. The most recent attempt was one which was made in "home rule" legislation considered by the House District Committee, and which was passed by the House and Senate in 1973. There was also language proposed in a conference on a relatively minor piece of legislation—an insurance bill—earlier this year that would have amended the Home Rule Act which would have provided the very same kind of exemption provided for in this bill. I strongly opposed the attempt in conference to grant an exemption to District employees who were in an equivalent status of State and local employees, as provided in section 401 of this bill.

I want to point out several things to the Members of the House as it relates to Hatch Act exemptions for State and local employees employed with Federal grants and funds:

First. There were no public hearings on these Hatch Act provisions that I know of.

Second. Hatch Act exemptions are totally inappropriate in a bill of this type. The fact that it is in here can only lead one to the conclusion that we are going back to the spoils system. This is a campaign finance bill, and the only conclusion I can draw is that those who favor this provision want to reach into the pockets of the State and local employees and get their contributions of money. They want to obtain the contribution of time and energy and their total commitments in the way of political activity from these State and local employees. That to me is a return to the spoils system.

Third. The Civil Service Commission, which is most knowledgeable about this matter, was never asked to give their views to the committee on this measure. Yet based on their prior statements and positions taken by the Commissioners, the following statement would apply as to the position of the Civil Service Commission.

The U.S. Civil Service Commission expresses its very strong objection to the inclusion of Section 401 in HR 16090. This provision, which has just come to their attention, would amend the Hatch Act by exempting state and local employees who work in connection with Federally funded programs from the prohibitions against partisan political management and campaigning. While such employees would still be unable to seek partisan office themselves, they would be free actively to participate in partisan politics on behalf of others.

In 1940 Congress amended the Hatch Act, which had been enacted the year before, principally in order to bring such employees within the partisan political activity ban. It was recognized then, and is now recognized as well, that the prohibition against political activity serves as a substantial employee safeguard since, among other things, it immunizes covered employees from pressures, overt or otherwise, to engage in politics against their will, and it prevents the diversion of Federal funds for political purposes at the state and local level.

At all events, what is being proposed in Section 401 is a drastic change in our laws in this area.

Plainly, a measure having such drastic consequences should not be acted upon without the same kind of extended and thoughtful deliberation that Congress brought to bear upon the matter when it first dealt with the subject in 1940. And, after more than 30 years of enforcing the Hatch Act as it applies to state and local employees who work in connection with Federally funded programs, the Civil Service Commission would certainly hope and expect that Congress would call upon them for an orderly presentation of their views before undertaking such a significant revision of the law. Finally, it is worth noting that Congress, in its deliberations surrounding the recently enacted D.C. Home Rule bill, expressly declined to allow Federal and D.C. employees to participate in campaigns on behalf of partisan candidates for local office.

Fourth. There is no reason why we should treat local employees, whose employment is funded basically with Federal funds, any differently than we treat our regular Federal employees. Otherwise, in our States we will have State and local employees performing virtually the same functions and activities and perhaps working at the desk next to a Federal employee. One will be Hatched and the other will not be Hatched; and, of course, my view is that both should be Hatched. The extent of Federal grant funding in the States covering Federal and local employees is perhaps best illustrated by the number of Federal grant employees that we have here in the District of Columbia. The number of Federal grant positions as carried in the 1975 budget of Mayor Washington was 17,535.

In conclusion, Mr. Chairman, if we want to go back to the "spoils system," then let us do so in an enlightened manner. Let us have open hearings; let us have testimony from those in the Civil Service Commission who are most familiar with the problem; let the municipal employee unions, who are probably behind this move, come forward and identify themselves and state their case in open hearings. I am confident that if we take this route, the Hatch Act will remain intact. Meanwhile, I strongly urge each and everyone of you to support this amendment.

POINT OF ORDER

Mr. BRADEMAS. Mr. Chairman, I made the point of order on the gentleman's amendment on the ground that it was not made in order by the rule nor was it printed in the RECORD.

Mr. NELSEN. Mr. Chairman, speaking to the point of order, it is my understanding the gentleman from Ohio (Mr. HAYS) indicated he would not personally make a point of order against amendments if they were not in the RECORD if anybody could stand up and say he was unaware that was one of the provisions, and that is true in this case.

The Civil Service Commission was not consulted and there were no hearings. The Civil Service came down and asked me to oppose this amendment.

The CHAIRMAN (Mr. BOLLING). The Chair will hear the gentleman on the point of order only.

The Chair must sustain the point of order on the ground that it was not printed in the RECORD. The point of order is therefore sustained.

The Chair recognizes the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I rise at this time to advise the Members that the motion to recommit the Federal Election Campaign Act Amendments of 1974 will be offered with instructions to recommit the bill to the Committee on House Administration with instructions to amend article 101(a) after line 8 on page 4 to insert the contributors' right amendments I introduced which were printed in the CONGRESSIONAL RECORD on August 5, 1974, on page 26875.

The motion to recommit will be introduced by the gentleman from Alabama (Mr. DICKINSON), the ranking minority member of the committee. A copy of the amendment was sent to all Members this morning for their information.

The amendment is aimed at making all political action committees responsible to their contributors by requiring that no candidates can knowingly accept funds from such committee unless the committee: First, is acting as an agent of the individual contributor and second, the individual contributor designates the candidate's committee which is to receive the donor's contribution and third, the identity of each individual contributor is furnished by the political action committee to the candidate or his committee. These provisions will assure that contributors will have the right to indicate who will be spending their contributions.

I can see nothing arguable about that objective.

PARLIAMENTARY INQUIRY

Mr. HAYS. Mr. Chairman, I rise on a point of parliamentary inquiry.

This amendment if offered on the floor would have been subject to a point of order under the rule. Does that stand?

The CHAIRMAN. No amendment has been offered.

Mr. HAYS. But the gentleman says he is going to offer a motion to recommit containing an amendment printed in the RECORD which would have been subject to a point of order.

The CHAIRMAN. That is not a matter for the Chairman of the Committee of

the Whole to decide. It is a matter for the Speaker in the House.

Mr. HAYS. I thank the Chairman.

PARLIAMENTARY INQUIRY

Mr. BROWN of Ohio. Mr. Chairman, a parliamentary inquiry.

Is the motion to recommit required to fall within the rule on this legislation?

Mr. FRENZEL. Not unless the rule so says.

The CHAIRMAN. The Chairman of the Committee of the Whole cannot interpret a motion to recommit. It is not within his jurisdiction.

Mr. BROWN of Ohio. I thank the Chairman. I will certainly rely on the fairness of the Speaker to properly interpret the method by which a motion to recommit can be made.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia (Mr. MATHIS).

Mr. MATHIS of Georgia. Mr. Chairman, in the brief time remaining I would like again to commend the chairman of the Committee on House Administration as well as all the Members on both sides of the aisle for the work they have done in bringing this bill to the floor.

I would like to point out for the benefit of all the Members that there was not ever at any point in our committee deliberations the kind of partisan bickering we have seen on the floor this afternoon.

There are certain things in this bill I would not agree with obviously. I think we are making a horrible mistake in adopting this so-called Independent Election Commission.

I said earlier in the debate on the amendment that we would rue the day. I rise reluctantly in support of the bill. I say there is too much common cause in it and not enough commonsense.

(By unanimous consent, Mr. BRADEMAS yielded his time to Mr. HAYS.)

(By unanimous consent, Mr. MICHEL yielded his time to Mr. FRENZEL.)

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, there has been plenty of talk in the last 2 days about in-kind contributions. I want this record to show that that section 205 of the 1972 act, amending chapter 610 of title 18, clearly provides in its definition of contribution that "any services, or anything of value" is a contribution and must be reported as such.

Obviously, such contributions are subject to all the requirements that any contribution is subject to.

The problem with in-kind contributions is that they have not been properly reported by either donor or recipient. With the creation of the new Board of Supervisory Officers, I believe that supervision adequate to cause reporting, disclosure, and limitations of in-kind contributions.

Mr. Chairman, the rule prevented me from making an amendment which would make dirty tricks and political espionage criminal offenses under this law. I moved the amendment in committee and it failed.

The idea for this amendment was given to me by the gentleman from California (Mr. DON H. CLAUSEN) whose work on this matter was diligent and effective.

He, in turn, was inspired by the careful and dedicated work of his administrative assistant, Mr. Bill Stodart. Mr. Stodart, recently deceased, labored long and hard for this concept, and I wish we could have done a better job of progressing the amendment for him.

Even though we could not bring this up today, Congressman CLAUSEN and I expect to continue the work of Bill Stodart, and to press for adoption of this worthwhile and needed legislation in whatever way we can.

Mr. Chairman, section 315 of H.R. 16090 authorizes the Board of Supervisory Officers to institute actions for declaratory or injunctive relief to implement or construe the campaign finance laws.

In past years the lack of enforcement of campaign finance laws has been a major problem.

As the author of this section of the bill, I want to make clear that this language grants to the Board of Supervisory Officers the power to institute civil actions in their own name against violators to enforce the campaign finance laws without having to go through the Department of Justice.

This power of civil enforcement is in addition to the Board's other powers set forth in other sections.

Mr. Chairman, we are getting down to the end of 2 long days. We have had a good deal of spirited debate in which we have all engaged with enthusiasm and some good luck, I think.

I would like to direct my remarks mainly to the Republican side of the aisle, because I think there may be many Members on that side who are tempted to vote against the bill. I will admit that there is far too much public financing in the bill to suit my taste. Nevertheless, it seems to me there are a number of very strong and positive features in this bill that will warrant close consideration and, I hope, an affirmation vote.

We do get an independent administration and enforcement mechanism, limitation on contributions, $100 limitation on cash contributions, limitation on honorariums, prohibition on laundering and secretive earmarking, limitation on expenditures, prohibition on contributions by foreign nationals, increase in the penalty features, which have not been discussed; prohibition on contributions in the name of another, the single campaign committee, the reporting requirements, the publishing of a list of those who do not file, repeal of the media limitations, the opening up of the Hatch Act, the preemption of State laws and other desirable features.

I submit that these do overcome the problems that we face in terms of our party discrimination in this bill. To be sure, there is too much public financing. There is no prohibition of dirty tricks. There is an unconstitutional disqualification of people who do not file and wish to run for office.

Our parties are discriminated against in being made the equal of special interest groups; but on balance, it is not a bad bill, and the committee does deserve praise for its diligent work, not only the standing committee, but the Committee of the Whole, which worked to improve the bill.

It is time for us to vote for the bill. It is a useful bill, despite its deficiencies. I hope it will be even more improved in conference. I hope there will be a significant number of votes for the bill on our side of the aisle.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. HAYS) to close the debate.

Mr. HAYS. Mr. Chairman, as I said earlier, this is not a perfect bill. I do not think anybody will claim it is.

I want to spend a little time discussing the motion to recommit which the gentleman from Ohio (Mr. BROWN) is going to make. What Mr. BROWN wants to do, and there is no secret about it, he wants to prohibit any laboring man from making any contribution to any candidate and let the fat cats——

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I am not going to yield—who contribute to his campaign to do it without very much trouble.

The amendment was out of order under the rule and the gentleman from Ohio knows it. I know exactly how his campaign has been financed in the past. I want to say—you can boo-hoo all you like—he comes from my State. His father was a friend of mine, a great friend of mine.

I want to say that what he proposes to do is to see that if any labor organization through voluntary contributions collects a half million dollars in $1 contributions, that in order for it to make a contribution, it has to have half a million pieces of paper saying that they want the dollar to go to a specific candidate.

Mr. BROWN'S $60,000 he would be allowed to spend, if this limit stands, could come from 60 wealthy contributors, so he only has to have 60 pieces of paper.

It is just that simple; that is all there is to it, and I think every Member of the House who gets his money from small contributors or from voluntary associations, whether it be Ampac, Compac, or whatever it is, that is the effect of his amendment. The more small contributions they have, the sooner they are put out of business. The more big contributions they have, the more they are in the business.

Mr. STOKES. Mr. Chairman, H.R. 16090, the Federal Election Act Amendments of 1974, is a measure whose time has truly come. Almost 2 years after the most corrupt national political campaign in our history, we are provided the opportunity of making substantial repairs on our battered and abused electoral process. The hour is late—but we must act now to restore a measure of integrity to American politics.

A scant 3 years following the enactment of the Federal Elections Campaign Act of 1971, which provided the first reform of election law since 1925, we in this country have witnessed a debacle in election funding and misuse of campaign funds that has revealed to us all too clearly the pressing need for a far more thorough overhaul of our election laws.

I do not think it is necessary for me to elaborate more on the provisions of this bill, or to explain my reasons for supporting particular provisions, except in

a general sense. Others have done an excellent job of explaining the reasons for and the meaning of these proposals. The committee bill reforms present campaign law by limiting contributions that an individual or a group may make to a candidate for Federal office. It also limits the amount of money that may be spent by congressional or Presidential candidates. And, it places limits on the amount that a candidate may spend from his own pocket. The bill provides public financing from the dollar checkoff fund for Presidential general elections and primaries and for national party conventions. There are also provisions for improving reporting requirements.

I am in substantial agreement with provisions of this bill. However, I feel that in certain instances it does not go far enough in reforming campaign procedures: There are several amendments before us which will correct inadequacies in the bill and strengthen it. And, I urge my colleagues to consider these amendments and this bill with great care. The basic confidence of our citizens in our system of Government is at stake and we must not fail in this effort to restore greater integrity to our elections and our Government.

Mr. KASTENMEIER. Mr. Chairman, I shall reluctantly cast my vote in favor of the campaign finance reform bill. Although several good features of this bill persuaded me that it should be supported, I have serious reservations about the spending limitations established in the bill for candidates to the House of Representatives.

Notable among the strong features of the bill are provisions establishing stronger enforcement mechanisms than provided in current law, and the creation of a system of partial public financing of Presidential campaigns. While some may object to public financing of political campaigns, I support this move since it seems to me that it is time to try financing such campaigns through something other than special interest money.

However, the spending limit for House races of $150,000, including the costs of fund-raising—$75,000 in the primary and $75,000 in the general election—is in my view exorbitant. Such an excessive ceiling defeats one of the primary purposes of this bill which is to limit the ability of any candidate to literally buy an election. I would have much preferred the application of the Wisconsin campaign finance law to House races which limits spending to $35,000 for primary and $50,000 for general elections, and greatly regret that the amendment which would have permitted such stronger State laws to prevail over these Federal limitations was defeated. The limitation of $150,000 represents only a minor improvement over the $187,500 proposed in the original committee bill and still invites large contributions and the type of corrupting influences which have become so familiar in this day of Watergate.

The possibility of such influences might have been lessened had tighter restrictions been placed on contributions in this bill. But, here too, by permitting up to $10,000 in contributions to each Federal candidate by political committees and separate corporate and union committees established for political purposes, the bill fell short of the type of limitation I would have preferred.

I announced earlier this year that I would accept no contributions in excess of $500 from an organization and $250 from an individual. I believe that this limitation is more in keeping with the intent of campaign finance reform. There is no need for any candidate for the House in the State of Wisconsin to spend anything approaching $150,000. I would further argue that there is no need for any candidate from any State to spend such an exorbitant amount of money in his or her attempt to gain election to the House or Senate. This bill, unfortunately, not only permits such excessive spending, it effectively invites such spending.

Despite these reservations, I feel that, on balance, the bill is a very limited move in the right direction. A halt must be placed on the concept of "the sky's the limit" when it comes to campaign spending and contributions and this bill represents only a beginning.

Mrs. MINK. Mr. Chairman, election reform has been a major concern of the Congress long before Watergate.

Congress enacted the Federal Election Campaign Act in 1971, imposing limits on campaign communications spending and requiring disclosure of campaign receipts and expenditures in excess of $100. Prior to that, we enacted the "tax checkoff" law to enable Federal funding of Presidential election campaigns.

Not all of the crimes and misconduct captioned under the phrase "Watergate" are connected with political campaigning, but those that were, were mostly committed before the Election Reform Act took effect or were in violation of it. I believe it is important to keep this fact in mind.

I feel we should guard against undue reaction to what is called Watergate. In large measure, that disaster is due not to a failure of laws but the fallibility of humans. It is because the intent if not the letter of campaign finance laws was violated that the transgressions took place. For the most part, changes in the law cannot absolutely guard against a repeat of these kinds of violations.

Having said this, I do not mean to imply that campaign laws cannot be an effective stimulus to clean and honest politics. We need stern and effective statutes against unfair and corrupt practices.

Many of the misdeeds of "Watergate" were not connected with campaigning at all.

It is only because CREEP-hired burglars were arrested breaking into the Democratic headquarters, a dramatic act which galvanized the Nation, that there is any connection between the abuses of power and corruption in the administration and political campaigning. In truth, the fact that an elite band seized the instruments of power and perverted governmental agencies into abusers of that power, raises far larger implications for the future good of our country. To the extent we are diverted into thinking that campaign reform is the only needed response to "Watergate," we continue to permit ourselves to be deceived by the perpetrators of that sad historical episode.

It should be obvious that a break-in on Democratic headquarters was not needed to win the Presidential election. The polls showed President Nixon far ahead. The Watergate was raided because that was standard operating procedure, the same as applying the Internal Revenue Service against "enemies" or stealing the private files of a psychiatrist, or releasing false stories maligning the opposition candidates, or making mass illegal arrests of political demonstrators. The Democrats and all dissenters were simply thorns in the side that had to be destroyed by whatever governmental or other weapons were available. The Watergate incident, then, should be viewed not solely in campaign terms but in the context of an "above the law" mentality that had become a way of life in the administration. We should be seeking to deal with this problem instead of only applying patches to the cracks in the political process.

I am not willing to be swept up into the reform bandwagon cry without regard to the possible deleterious changes in the political structure that could occur just because somebody says it will "cure" Watergate. I hope we have not reached the stage where only this most radical step, the complete Treasury financing of all Federal campaigns, becomes the litmus test of sincerity in the quest for campaign reform.

Surely much more can and should be done to strengthen or expand our campaign laws. However, I feel we should move with caution and not take precipitous steps which could adversely change our two-party system. Let us bear in mind that hasty enactment of the Postal Reform Act gave us poorer mail service and far higher costs, and the revenue-sharing program has given the States less money than they had before. Legislation labeled as "reform" must be scrutinized in detail rather than enacted simply on a slogan basis.

I am particularly concerned with proposals for "public" Treasury financing of congressional campaigns. Those pressing for this "reform" are merely exploiting the overwhelming public desire for a cleanup of Watergate-type politics. They portray Treasury financing as the antidote for Watergate. Just remove the taint of money from politics by taking it from the Treasury, they say, and all will be purified.

While I have nothing but the highest respect for those who seek to cleanse our Nation's political process, I do differ on whether Treasury financing is a good approach to reform.

The first thing we need is diligent enforcement of existing statutes. It is terribly important that we prosecute all those who violated Federal laws in all elections. The specter of punishment and public humiliation should dissuade many from engaging in similar tactics in the future. This year's elections will be the first whose financing is totally subject to the disclosure requirements of the reform act.

The disclosure approach to campaign reform rests on the thesis that an informed public can act in its own self-

interest. The disclosure act signed into law in early 1972 is designed to tell the identity of all contributors of over $100 to candidates for Federal offices of President, Congressman, and Senator. It presumes that once the voters know who financed a candidate, they can judge the candidate's leanings accordingly, or that public disclosure will deter large donors.

The Treasury financing approach to campaign reform on the other hand assumes that no amount of disclosure will provide sufficient protection to the public. It holds that voters are unable to evaluate a candidate even if they know where the funds came from. Thus, they argue only by removing all individual campaign contributions can the integrity of elections be guaranteed.

In choosing between the two approaches, tax dollar financing has a certain surface appeal because of the serious campaign abuses in the 1972 Presidential election. I do not feel we should throw out the existing campaign system and switch to a dependency on tax dollars without careful study of the consequences of such a change.

The difficulties encountered in 1972 might equally be attributed to: First, a failure to communicate to voters the financing disclosed by candidates, and second, a lack of public follow-through on the reports filed by candidates.

I believe the Nation's news media failed to adequately publish the facts on 1972 financing disclosed in official reports. Moreover, no citizens' organizations were sufficiently effective in compiling and publicizing the results of the campaign finance filings, including lack of compliance by the candidates.

These inadequacies were not exclusively the fault of the media and public interest groups. A new law was involved, and all concerned lacked experience in working with it. In addition, nobody seemed to believe the grave misdeeds which were being revealed in the activities of the Committee to Re-Elect the President.

This year, however, there should be greater understanding by all of the importance of working diligently to implement the disclosure act. By taking time to inspect and report on the official campaign reports filed by candidates, the press can make a major contribution to greater knowledge of candidates' financing. Public interest groups can devote the time and effort required to analyze these reports and make factual criticisms of candidates who fail to disclose the identity of contributors as required by the act. Campaign reports should be subjected to an independent audit and all deficiencies published. It is important to know how these funds are being spent as well as who gave them. CREEP's irresponsible spending led to much of the michief and political saboteur tactics.

I recognize that asking the press, public, and private groups to participate fully in our elective process through this demanding means of disclosure and follow-up, is asking quite a lot. It requires serious concentration and long effort. But I believe this is far preferable to enacting treasury financing as a quick panacea.

Complete treasury financing is wrong both on the merits and as a wasteful use of Federal tax dollars. I am inherently suspicious of severing the link between citizen and public official, just as I am in the case of revenue-sharing systems which cut the tie of responsibility between taxpayer and tax spender. Both may tend in the long run to reduce the amount of control the individual has over the actions of those who hold public office.

Our political parties do not exist in a vacuum. If no party is directly dependent for its finances on those who support its policies, then no party will have much reason to stand for any particular policy, other than the issues currently popular in any given election. In a sense there would be no real political parties at all, only two alternatives on the ballot, "A" and "B."

Under Public Treasury financing, both political parties and candidates could thumb their noses at the voter. The parties would not need active voter support for contributions, since these would be levied against the taxpayers regardless of their wishes. Despite a 25-percent current support rating, the President's party could get over 60 percent of the public funds for the current election solely because of the votes garnered in the last election. How is this more conducive to clean government? Isn't it better to link contributions to current performance?

According to press reports, Republican fund-raising efforts declined this year because of Watergate discontent in the ranks. I am not saying whether this is good or bad, but it does show that citizens can influence policy under the existing system. Under public financing, you receive the dollars to your campaign based upon your popularity 4 years ago for President, 6 years ago for U.S. Senator, or 2 years ago for Representative. No matter how bad a current service record you have, you could depend on tax money to refinance your campaign for reelection.

Surely our two major political parties stand for something. I believe the general ranks of Republicans feel they have a direct interest in the programs and goals of their party, and the Democrats do, too. The perceived policies may change according to the needs of the times, but the basic interest-identification remains. Our citizens can assure the continuation of their interest only through contributions to the party of their choice. If this connection is rendered impossible, the responsibility and the responsiveness of political parties to large groups of voters will be reduced.

The very role of the political party would decline under total Treasury financing, and the cult of personality would increase. I see a danger that our political system might disintegrate. Instead of a two-party system offering the voters a relatively simple and understandable choice, they would see a multitudinous array of candidates. The availability of free public funds would encourage the massive formation of minority parties unable to command broad support but capable of rallying a small band of supporters on narrow single issues such as school busing, abortion, prayer in schools, et cetera. The national unity which comes from a two-party system would be destroyed. Ours would become a politics of chaos, confusion, and discord. Less than majority candidates would win; or costly runoffs would become the standard routine.

There is also a structural problem inherent in public funding of campaigns. It does not provide the "feedback" a candidate obtains from soliciting and receiving numerous small private contributions. Over a campaign of several months, the inflow of contributions timed to the development of issues and various events can show a candidate how the public is responding to the campaign. It helps to shape the candidate's stand on new issues and improves responsiveness to the electorate. All this would be lacking under Treasury financing. There would be a void of interplay between voter and candidate until after the election when the ballots are counted. Only then would the candidate discover how the public reacted to campaign pledges. To counteract this loss of interplay, more reliance would have to be placed on public opinion polls. Treasury funds allotted to candidates would have to be spent on costly polling.

The public funding provision for congressional campaigns supported by one major public interest group—Common Cause—called for handing out $90,000 in tax funds for each House candidate in the general election. I have never spent even half that much in any of my five general elections. I am sure that this is true for others like me. With tax funds of $90,000 available, the more personal type of campaigning now used in many congressional districts will be replaced by advertising agency productions. The ready pool of tax dollars will be easy picking for these agencies to conduct "slick" advertising campaigns for a high fee. They would get most of the money with mass mailing making up the rest.

Candidates would be "sold" like soap "squeezable Charmin", or all day deodorant. Voters would be subjected to unrelenting assaults of 30-second radio and TV commercials urging them to vote on the basis of slogans and jingles. Is this the way to better inform the public? Congressional candidates ought to spend only what they can receive from small contributors, not what they can appropriate for themselves from the Treasury. I have financed my past campaigns with 3,000 supporters giving an average of $25 each. Many contribute $5 or less. Contacting this many contributors and asking for their support based on my voting record is part of the process of informing the voters on the issues. This is an arduous and unwelcome task, but without it there would be far less real communication. Under public financing, it would all but disappear.

If a voter is asked to voluntarily contribute his or her own money to a candidate, the voter has an inducement to examine closely the candidate's record and performance. By giving to the campaign, the voter feels involved in the political process, and is involved as a vital component. Public financing, on the other hand, would increase the feeling of alienation. The voter would feel powerless to add to or detract from the candidate's chances of winning except through the vote. I suspect the turnout at the polls would then decline drastical-

ly even from its current low state. Candidates, being on the Federal Government's payroll so to speak, would be further and further incubated in isolation to the ultimate detriment of the democratic process.

These are some of the basic reservations I have about public financing of U.S. House and Senate elections. An important but secondary consideration is the cost of such a program, which might well be a quarter of a billion dollars every election year. If we pay $90,000 for each candidate in 435 congressional districts and 33 Senate races, and there are 5 or 10 candidates in each election, the cost rapidly escalates. At a time when we are denying the use of scarce tax funds for meeting critical human needs in such areas as health, nutrition, education, and job-training, I do not believe this is a justifiable allocation of funds.

Who will monitor how public campaign funds are spent? Would we not need further new laws and new programs to check up on the activities of the monitors? Where will it all end. In the final sense, only participation by the people can assure integrity in the election process. If Watergate demonstrated anything, it should be that more rather than less citizen involvement is needed. Shelving off the responsibility on a Treasury financing scheme will hardly guarantee responsible government.

Personal campaigning is still possible and desirable in House and Senate elections, but admittedly it is impossible for a Presidential candidate to have close personal contact with any significant portion of the national electorate. In recognition of this, Congress has already provided for tax financing of Presidential campaigns. The tax checkoff law was enacted long before Watergate. Under this $1 can be voluntarily designated each year by each taxpayer to finance the Presidential campaign. Hopefully, this will become the exclusive means of financing Presidential elections in the near future.

While I oppose extending Treasury financing to congressional elections, I am not among those who wish to do nothing at all about the campaign finance abuses disclosed by Watergate. My own bill, H.R. 11931, the Comprehensive Campaign Financing Control Act, is as far as I know the most sweeping major campaign reform bill ever introduced in Congress. It applies rigid controls on contributions and spending, along with strict disclosure, in all major elections in the United States, including those in States and large cities. The limit on any person's total contributions to any one candidate would be $500, and it could not be in cash. There could be no splitting of contributions among various dummy committees or other subterfuges to evade the limitations. An overall limit of $50,000 should be placed on expenditures in a U.S. House race by any candidate. I believe reform along these lines offers a more meaningful prospect of achieving honest elections and the election of officials committed only to the public interest.

We should be striving not to concentrate campaign financing in one source, this time the Government, but to disperse it more widely so that as many citizens as possible participate in this vital aspect of our democratic process.

Under a system of full disclosure, combined with strict limits on individual contributions and accountability in candidate spending, I believe we could effectively curb excessive campaign costs, limit the influence of big money, encourage wider citizen participation, and prevent corruption. I believe, based on my experience to date of 20 years in elective politics, that my proposed reform will better protect our two-party system from proliferation and guarantee greater citizen participation in our democracy.

Mrs. SCHROEDER. Mr. Chairman, I am thrilled to finally have the opportunity to join in debate on the pressing issue of election campaign financing. I am one of many Americans who have anxiously awaited, and insisted upon, speedy full House consideration of this legislation. We have before us H.R. 16090; a good core of legislation, despite various shortcomings. I am confident that we can now close the loopholes in this bill through the amending process and pass a sweeping and effective reform package.

The need to improve our system of financing election campaigns for Federal office has been repeatedly recognized by our Nation's leadership since the turn of the century, and particularly in the years since World War II. Recently, two developments have significantly changed the entire context in which elections are financed; the geometric multiplication of campaign costs and the increased number of business activities which have become vitally affected by Government decisions.

The Presidential Election Campaign Act of 1971 was an effort to halt the spiraling cost of campaigning and to restore public confidence in the election process. This act placed a media use spending limitation on candidates for Federal elective office and also required reporting and disclosure of campaign contributions and expenditures.

It is obvious from examining the abuse of campaign financing in the 1972 elections that the need for electoral reform has not been satisfied by the 1971 act. We are now faced with three major problems magnified by the 1972 elections and the Watergate affair: An unceasing rise in campaign costs, the misuse of expenditures, and the expanded role of influence money in election campaigns. Recognition of the potency of big money, along with the discovery that some political committees resorted to unusual methods to avoid compliance with the disclosure provisions of the 1971 Campaign Act, has led many to conclude that the act is unenforceable and necessitates immediate and substantial revision. The public remains suspicious about the integrity of the elective offices being sought and, consequently, the democratic process suffers because of voter cynicism.

All of the evidence adds up to a crucial need for new legislation to insure equal access to elective office, increased citizen participation, lower overall campaign costs—in general, a new relationship between money and politics. The present system of financing election campaigns too often leaves the electorate running a poor second behind big money and special interests. As we watch Watergate fuel pressures for legislation, the Senate three times approve broad measures, and many State governments created their own tough elections laws, the House cannot shy away from comprehensive and airtight electoral reform.

The Committee on House Administration should be commended for its thoughtful consideration of campaign finance reform. However, if passed as introduced, H.R. 16090 will not satisfy the aforementioned needs. After conducting my own extensive examination of the legislation, I have concluded that while the bill contains many sound provisions, the loopholes drastically reduce its merit. Although there are many areas which could use improvement—for example, the definition of an expenditure, the disclosure and reporting procedure, the precise placement of contributions and expenditures ceiling, the role of special interests and political parties and the problem of incumbency under our present system—two of the bill's loopholes have commanded my attention; public financing and enforcement.

Controls must be extended over the amount of money that is contributed to election campaigns. I believe that contributing to a political campaign is a means of expression, but this does not mean freedom to abuse the privilege. To protect the integrity of the elective process, it is surely justifiable to exercise reasonable control over the amount of money which is poured into an election campaign. In legislating such controls, we must make certain that competitiveness is not impeded, and equal access is insured. To combat this potential impediment, the only realistic alternative before us is public financing of election campaigns.

Support for public subsidies has been mounting steadily over the years, and was intensified by the insidious campaign practices of the past election. The impact of the private dollar on our legislative process in currently unavoidable yet, as I have implied, I believe that it is impossible to completely deny an individual the right to make a monetary political contribution. We must strike a balance between the excessive influence of "fat cats" and the need to encourage public participation.

I am, therefore, in support of the amendment offered by my distinguished colleagues, Mr. ANDERSON and Mr. UDALL, which proposes a system of matching Federal grants which would be available to all candidates, and national and congressional campaign committees, after a "threshold" amount is raised. The threshold and subsequent small contributions would be matched until a matching grant ceiling is reached. This concept has many advantages: It requires a candidate to establish a base of support before being eligible for public funds; it protects traditional political freedoms by allowing and encouraging small contributions; and it provides a means a public financing without overly strict expenditure ceilings.

The Anderson-Udall amendment provides for the extension of public financing to include campaigns for congressional offices. I believe this is essential. High campaign costs, expenditure mis-

use, influence money, and lack of public confidence are not problems which apply solely to Presidential campaigns; our system of financing the campaigns of House and Senate aspirants needs substantial reform as well.

The most critical fault of the committee bill is its failure to provide for the establishment of an independent, bipartisan, full-time commission which is in many ways the most important feature of any campaign reform package. Everyone must realize that any reform bill will only be as effective as the enforcement provisions it provides.

Under the 1971 act, three separate offices were responsible for receiving disclosure reports, making them available to the public, reviewing them for violations, and referring them to the Department of Justice for action. The Justice Department has rarely initiated action in this politically sensitive area for the past 50 years, and there are approximately 5,000 unenforced violations presently pending. The Committee on House Administration decided to combat this problem by recommending the institution of a board of supervisory officers, including the Secretary of the Senate and the Clerk of the House, to give advisory opinions and have civil prosecutorial powers. To keep this board in check, the committee authorized themselves and the Senate Finance Committee to review and veto or approve the regulations issued by the board.

In opening this wide loophole in the legislation, the committee has allowed for congressional domination of election supervision. How can imparitiality possibly be expected? And given the lone history of nonenforcement of election law and the impropriety of having congressional employees sit in judgment on their employers, how can we hope for a restoration of public confidence in the electoral system? Only an independent, full-time commission will provide for effective policing of reform provisions. I contend, with no hesitation, that this entire legislative package is worthless without appropriate enforcement provisions. Thus, I have enthusiastically cosponsored the fine amendment drafted by Mr. FRENZEL and Mr. FASCELL, and I urge all my colleagues to support this essential amendment.

Mr. Chairman, we cannot delay in enacting this much-needed legislation. The American political system is dependent upon active political participation and public confidence in the Government. The enactment of electoral reforms will help restore credibility in our governmental institutions and our elected officials: in these turbulent times, there can be no higher priority. We have before us a good vehicle for reform in H.R. 16090 and, with the critical changes I have already mentioned, its immediate passage will be our response to America's call for fair, open and honest campaigns for Federal office.

Mr. ESCH. Mr. Chairman, I rise today in strong support of the campaign reform bill, H.R. 16090, and the amendments to be offered by Congressmen ANDERSON, UDALL, FRENZEL, and FASCELL.

At a time when credibility in Government has reached a low, this measure represents a very real opportunity to control future campaign finance abuses. If we are to maintain a system of government that is representative of the people then the election process—that vital function that selects those who will represent—must be inherently credible.

For this reason, I introduced in November 1973, my own campaign reform proposal, many of the provisions of which have been included in the bill before us today.

During the past few months I have become increasingly concerned over the failure of the House to move on this bill, and particularly lamented the failure of the House Administration Committee to report a bill.

The original committee bill, I believe contained serious flaws and I am pleased that some of these have been rectified. However, it is essential that the House move to adopt the Frenzel amendment to strengthen the enforcement procedures, by establishing a truly independent Federal Elections Commission empowered to take candidates and officials suspected of wrong-doing directly to court without going through the Justice Department.

It is likewise critical that the House move to adopt the Anderson-Udall amendment to extend limitation to congressional elections and to provide matching funds for congressional races.

The unfortunate scandal surrounding Watergate was caused in some measure by our current system of campaign financing—with its heavy reliance on large contributions from powerful political interest groups. This nonsystem affects all levels, and undermines the independence of our political process. I believe the Frenzel and Anderson-Udall amendments can make the committee bill a fully effective mechanism to insure fair and honest campaigns.

Mr. BAUMAN. Mr. Chairman, the clamor for campaign reform has reached a deafening roar in recent years, and we all know that there is good reason. The misuse of campaign funds, shady methods of obtaining such funds, and downright illegal expenditure of such funds became epidemic in 1972. Naturally I am angered that these misdeeds were performed in behalf of the Presidential candidate of my party.

Today, we are considering legislation which, it is said, will solve the problem and prevent future abuses. I am afraid that in many respects this bill represents instead a "solution" which is more illusion than reality.

As my good friend, the gentleman from Illinois (Mr. CRANE) noted in his separate views in the committee report, nothing short of a congressional resolution repealing original sin will end corruption in politics. Obviously, that is not within our power. What, then, does this legislation propose to do?

First, and most significantly, the bill places severe restrictions on the amount of money which any individual or special interest committee can contribute to a candidate's campaign. This restriction may be needed but it could be faulty for two reasons: By prohibiting an individual from giving more than $1,000 to a candidate in an election campaign, it places the limit so low that it may constitute an unconstitutional restraint on his or her freedom to communicate their views or to support a candidate who represents those views. In addition, in the wild rush to limit the influence of special interest groups, this bill threatens to effect the demise of our two-party system. The limitation of $5,000 in contributions from any one committee does not exempt or make special provision for political party organizations, which often contribute substantially more money to their own candidates. This would have a disastrous effect on the role which the parties play in insuring stability and continuity in our political system, as has been stated by my distinguished colleague, the gentleman from Illinois (Mr. MICHEL).

The bill also takes yet another step in the direction of full public campaign financing. It extends the "dollar checkoff" system of financing, where a taxpayer may designate a dollar of his Federal income taxes for a public campaign fund, to Presidential primaries and party nominating conventions. Until now, this money has been reserved only for Presidential contests in the general election. By holding out the offer of lots of Federal money to primary candidates we are setting the stage for a proliferation of Presidential hopefuls which will give the entire process a circus atmosphere, and attract as many publicity seekers as serious candidates.

Financing such a wasteful exercise could quickly diminish whatever public enthusiasm now exists for earmarking that dollar on the tax form. Fortunately, the committee wisely rejected public financing of any campaigns other than Presidential races. But I fear that by taking this additional step toward expanding public financing, we are merely setting the stage for an expansion of the idea, an expansion I emphatically oppose.

Finally, the most glaring weakness in this legislation involves the section regarding "in kind" contributions. We cannot ignore the fact that special interest groups, principally labor unions, contribute the equivalent of upwards of $100,000,000 a year in "inkind" gifts to candidates: mailings, get-out-the-vote drives, printing, mailing lists, equipment, transportation, storefronts, and numerous other campaign benefits which are more valuable than cash. Not only does this bill fail to deal effectively with this type of contribution, it encourages them, and fails to either limit or require disclosure of such activity. This represents a glaring loophole big enough to drive every Teamster-operated truck in the Nation through. It makes a farce of any effort to bring about campaign "reform," and instead promises to expand campaign contributions of a very substantive nature which never need be reported or kept track of. This section makes the title "campaign reform" the biggest violation of "truth in packaging" since 19th century hawkers roamed the prairie selling snake oil as a cure for cancer.

Mr. Chairman, there is unquestionably a need for further reform of laws regulating campaign activity, and in particular provisions which would require full and complete disclosure of the source of all contributions and a full accounting

of all expenditures. While this measure takes a step in that direction, it is inadequate. Because it is inadequate there, and because it contains so many other features which generate the precise opposite of true, meaningful reform of the campaign laws, I must oppose it as it is written. I shall instead offer my own legislation which will constitute what I consider to be meaningful reforms.

Mr. PODELL. Mr. Chairman, Watergate and its implications have kept the country in a state of shock, outrage, and disgust for the past 2 years. We have experienced a trauma which has touched every aspect of American life. One of the most scalding aspects is the attitude of mistrust and despair of the American people toward their political institutions. Their faith in the institutions and the people who represent them has been severely curtailed. Politics, once one of man's noblest professions, is believed to be a camp of sordid details, lies, deceit, and a total lack of respect for the American people. The administration and its reluctance to be open and honest, has hurt and confused Americans from New York to Alaska.

It has become imperative that we, in the Congress, take action now to restore the confidence of the American people toward the political system.

The Federal Election Campaign Amendments of 1974 provides us an avenue to begin to free the country from the pollution that has been eroding our ability to see and breathe freely. This legislation provides means for making campaigns a place for debating the issues and nothing more. One of the highlights of this bill is the area that deals with campaign contributions and campaign spending. It enforces a limit on the amount a Federal candidate can spend on a campaign. The amount varies with the different officers, the Presidential candidates being limited to $10 million in a primary election and $20 million for a general election. This is essential, for it maintains an area that all candidates must follow, no matter what amount of money they have, and enables a campaign to direct itself to issues in comparable fashion.

Congressional campaigns have a ceiling of $75,000. It is my belief that this figure is exorbitant; there is absolutely no need for a campaign dealing with the problems and concerns of the people to spend that amount. I attempted to pass an amendment that would lower this figure, but it was the sense of the committee to maintain the $75,000 amount as a reasonable sum.

There is also one other area that I am very concerned about and that is the public financing of Federal campaigns. There is a provision for Presidential campaign financing. However, there is none for congressional races. While this condition remains, so will the evil that has been shrouding our campaigns for so long. I urge my colleagues to reconsider their position on this matter as I feel that public financing of campaigns is the essence of a corruption-free system.

There are also areas of this legislation that certainly are helpful and are directed in a useful manner. One of these is the limitations put on the amount contributors are allowed to give to a Federal campaign. This aspect of the bill is reasonable. A group is allowed $5,000 per election and an individual $1,000. This policy is excellent in that it will keep the campaign focused in the proper areas, not in the direction of special interest groups. These groups will no longer have the leverage to effectively impose their wills as they have seemingly done in the past. This puts a campaign into the perspective that is best for both the candidates and the voting public. It enables a campaign to be a forum for the candidates to exchange views on issues that concern the Nation and enables the people of this country to decide on their candidate by reviewing these issues without questioning the integrity of the political system or those who represent it. This is not and should not be a gift: It is the essence of what our country was founded upon, and a manner of behavior that the American people are entitled to expect. Any other mode of behavior by the political system or those who uphold it is unacceptable, both to the system itself and the American people.

I serve on the Committee on House Administration and support the bill that we have presented to the floor of the House. I urge my colleagues to join me in a swift passage of this legislation.

Mr. TIERNAN. Mr. Chairman, the electoral process has been suffering a most serious illness. One need not be a medical doctor to diagnose the problem. Every citizen is sadly aware of the fact that campaigns in the United States have been riddled with unethical and illegal contributions and expenditures. The treatment for this cancerlike disease is simple, yet this honorable body of Congress has done little to cure the electoral process and revitalize the voice of our democracy.

We can wait no longer. We must begin treatment immediately—not merely providing a good bedside manner with useless lip service—but a thorough and effective treatment. To insure the full recovery of our electoral process, we must enact a strong campaign reform bill.

I urge my colleagues to enact a campaign reform bill which provides for the establishment of an Independent Election Commission and a mixed public/private matching system for congressional campaign financing. We cannot substitute an aspirin for an operation. If we fail to adopt these amendments to H.R. 16090, we will be condoning the election scandals which have been strangling our Nation for the past 2 years. Moreover, we will fail to preserve the sanctity of the American Constitution, which guarantees our rights to freedom and liberty.

If we were to pass the committee bill as it now stands, not only would we fail to provide the necessary incentive to solicit small contributions from a vast base of citizen participants, but we would be boosting the power of special interest groups which now threaten to destroy the fundamental voice of the American electorate. We would also fail to establish an effective Commission to insure that the election laws were being properly enforced. We all know that without sufficient oversight, laws are useless words.

I ask the Members of Congress, can we remain idle while the future of our great Nation stands in jeopardy. To remove only a fraction of a malignant tumor is futile. We must thoroughly remove all traces of the cancer. We must stitch the loopholes in order to make campaign reform a meaningful and successful operation.

Mr. SYMMS. Mr. Chairman, Congress once again is attempting to legislate individual responsibility and ethics. This time we're looking down the barrel of a new bureaucracy charged with authority to keep political candidates clean and the voters honest. Just as gun registration failed to get at the roots of crime, campaign reform misses its point.

Mr. Chairman, Watergate did not occur solely because dishonest Government officials had dishonest friends. Failing to recognize that the problem goes much deeper than dishonesty, Congress has written legislation which applies a shiny coat of paint over a malignant illness in our political system.

Mr. Chairman, the real lesson of Watergate is that Government has become too powerful. The benefits of illegal activities have become greater than the risks. The businessman who lives day by day on the threat of Government permits, contracts and regulations is too often forced to compromise his integrity and the integrity of his friends in the bureaucracy. Excessive Government power and favor have finally authenticated that phrase, "Good guys finish last." If Government officials did not have so much to offer the private sector in the way of favorable rulings, contract awards, et cetera, then business would not have to engage in this kind of economic survival.

To ask for more laws to prevent another Watergate overlooks the fact that there were already laws prohibiting these kinds of political activities. These laws have already convicted a fistful of public officials of wrongdoing and Congress is considering impeachment of the President because of the possible violation of these laws. This is the appropriate means of handling dishonesty—not passage of more laws against dishonesty but enforcement of an already adequate criminal code and adherence to the constitutional process.

Rather than addressing the issue in its proper perspective, Congress proposed extensive campaign reform, including public financing of campaign expenditures and limitations on the rights of voters to contribute to campaign activities. Traditional concepts of political involvement and responsibilities are cast aside in this legislation. The real issues are swept under the rug. In seeking to make all candidates equal and honest, Congress is actually proposing to handicap principles of republican government established by our Constitution.

Underlying the whole issue is a burning question: "Should money play any role in politics?" If we value the freedom of expression guaranteed in the first amendment, the answer to this question has to be "yes." No one person—candidate or campaign supporter—need apologize for the role of money in the political campaign.

Mr. Chairman, all political activities

make economic claims on the community. Speeches, advertisements, broadcasts, building facilities, transportation, grassroots organizations—all require money. As long as the financing of these activities is left to private contributions, the individual is free to choose his own style and his own extent of political involvement, free to defend his personal philosophy, and free to further the campaign of his preferred candidate with either his dollars or his time. In depriving the individual of his right to contribute either time or money, we impair his freedom of expression.

And so who benefits—supposedly—from public financing of campaigns?

Certainly not the candidate who seeks change. His financial needs against an incumbent, tax-supported Congressman are great.

Certainly not the citizen who holds opinions but lacks the time to work actively in a campaign. Public financing prohibits or severely limits the amount and extent of his financial support. Lacking time for various reasons and lacking the right to contribute dollars by virtue of Government decree, his political role becomes one of inaction.

Certainly the general public has little to gain through public financing. Campaign contributions are a vehicle of expression for donors who wish to persuade others on public issues. This is a vital arena of political activity often overlooked in the more obvious rhetoric of candidates. The charge that these donors represent those ominous "special interests" is exactly correct. Anyone with the slightest flicker of political interest is representing those economic and social activities which he feels to be most important. With obvious exceptions, it is a disservice to both the donor and the officeholder to impune their motives. It is not the fact, necessarily, that a Congressman receives large union contributions that leads him to support union causes. It is the reverse that is most often true—that his convictions attract large union contributions.

The taxpayer, as usual, will be footing the bill for this new legislation. His contribution checkoff takes money out of one pocket at tax time while the huge bureaucracy required to implement and sustain the program bleeds the other pocket.

Mr. Chairman, politics in general has little to gain through public financing. Campaign money is a barometer of intensity of voter feeling. It keeps issues and opponents in perspective. It weeds public support.

The winners in a publicly financed campaign are fairly predictable. A party in control of the White House is likely to stay in control because its bureaucracy pulls the strings on candidate financing. What public financing fails to provide them can be sopped up through manipulation of Government-sponsored programs and public relations services.

By equalizing the roles of the candidates through public financing you do not really reduce the influence of the wealthy. They will always have direct access to resources easily converted to political purposes. Further, you greatly increase the influence of three distinct groups. First, the so-called pressure groups, like Common Cause and the American Medical Association which sell issues rather than candidates, second, political activities with free time, and three, the media.

There is a danger, too, that an independent candidate will be prevented from running because he fails in some way to qualify for Federal financing. It is possible that sanctions against "extremist" candidates could be incorporated into Federal financing laws. This, of course, raises the question: Who defines "extremists?" With time, these definitions and sanctions could easily be widened to prevent expression of legitimate political philosophies.

Campaign reform legislation as proposed does not bring Government closer to the people. It brings candidates closer to the Government and pushes people into the background—except at tax collecting time.

I have watched the House Administration Committee put together the jigsaw of campaign reform legislation piece by piece. They are missing the heart of the puzzle—the high sense of morality and ethics which guides most Americans in their choices of political representation.

Mr. Chairman, with the provisions of the Federal Election Campaign Act of 1971 on the books, we have access to records of campaign contributions. We are able to determine to a certain extent the interests of any candidate's supporters. With vigorous enforcement of the criminal code, we are able to handle officials who betray the public trust. By reducing the power and control of the Federal Government, we would remove the temptations and rewards of influence peddling.

And that is enough. Passage of the Federal Election Campaign Act Amendments of 1974 will deny the right of expression guaranteed all Americans under the first amendment. It is in the right of free speech that the essence of Americanism is contained. Without this right to free expression, all other constitutional amendments and our basic Constitution itself falter. This is a high price to pay. To deny the right of expression to the majority because of the misdeeds of a few is a big step down the road toward totalitarian government. I urge the defeat of H.R. 16080.

Mr. DENT. Mr. Chairman, the Federal Hatch Act's extension to State and local employees contains three parts. The first prevents State and local employees from voluntarily working for candidates of their choice on their own time for any partisan public office. The second prohibits management and others from using their influence to force those who work under them to contribute to or work for a candidate out of fear for their jobs, concern for future promotions, et cetera. The third prohibits State and local public employees from using the authority of their positions to influence the outcome of an election campaign.

This section of the bill repeals only that part of the Federal Hatch Act which prohibits State and local public employees from voluntarily, on their own time, participating in partisan political activities.

It retains those parts of the Federal Hatch Act which protect State and local public employees from political coercion by their employers and those parts which prohibit State and local public employees from using their own official status to influence elections.

For too long State and local employees—just because they are State and local government employees—have been prevented from voluntarily working for candidates they may choose to support. Workers in the private sector—often with similar jobs and sometimes even supported by the Federal tax dollar—are able to participate fully as citizens in the political process. This discrimination against the voluntary political activity of millions of State and local employees is no longer justified.

When the committee unanimously adopted this section, it did so with the hope that it would encourage greater voluntary citizen participation in the political process while at the same time continuing to prevent coercion and undue influence.

However, State and local public employees would still be prevented from personally running for partisan political office unless they resign their positions.

This proposed amendment does not affect Federal employees.

Mr. ICHORD. Mr. Chairman, I rise in support of the Federal Election Campaign Act Amendments of 1974 and urge that this legislation be passed by the House of Representatives. It would be very misleading for me or any other Member of Congress to pretend that this bill will solve all the ills present in our election laws but it is a step in the right direction.

In the first place I am doubtful that any legislation can get rid of all loopholes in campaigns for public office. As long as human beings are sinful there will be some individuals tempted to exempt themselves from certain general standards or to find ways to circumvent election laws. The most we can do in this respect is to make every effort to remind elected officials and those aspiring to elective office that any position of public trust requires a moral commitment to their Government and their people.

In the second place I do see this bill closing certain loopholes that have been open all too long. The expenditure ceiling now $60,000 for primary elections, primary runoff elections, and general elections while still too high in my opinion is much better than no limit at all. As the Members of this body of Congress know, I supported the Mathis amendment yesterday which would have set the spending limit at $42,500 which parallels the salary paid by the job. I am sorry that this amendment failed because I do not feel that a candidate should be allowed to spend more than the salary of the office. I have personally never spent anywhere close to $42,500 for any election including my first race for Congress when I defeated an incumbent Member of the House. However, a $60,000 limitation is a great improvement over the fantastic sums of $200,000 and $300,000 spent by candidates in the past in primaries or general elections.

Over 3 years ago in testimony before the House Administration Committee I

expressed my strong fear that we were rapidly reaching the point that only the very wealthy or those who sold out to special interest groups could be elected to public office if we did not take steps to control campaign spending. The American claim that only in this country could an individual rise from such humble beginnings as an Abraham Lincoln to become President of the United States has been brought into question as campaign cost for Federal office soared into six, seven, and eight figures. Therefore, I feel that the $60,000 limit is a reasonable step in the right direction.

I am also pleased that an individual limit of $1,000 or a political committee limit of $5,000 has been placed in this legislation. This will do two very constructive things: First, it will make virtually impossible attempts by individuals or groups to buy influence with public officials; and second, it will force politicians to make every effort to get more of our citizens involved in the election process through the pocketbook which is the best way to get elected officials who are responsive and responsible to the people who elected them. The individual honorarium limitation of $1,000 or a total of $10,000 in 1 year will stop Federal elected officeholders from seeking to profit financially from the job they were elected to carry out for their constituents.

Once again I would point out that this is not perfect legislation nor a definitive answer to the problems we are seeking to solve but it seriously approaches these problems and will give us a foundation on which to build for future election law reform as it is needed.

Mr. BROYHILL of North Carolina. Mr. Chairman, I support the committee amendment to H.R. 16090, which would revise the composition of the Board of Supervisory Officers.

I have opposed the provision in the present campaign spending law which provides for reporting to and enforcement of the act by the Clerk of the House and the Secretary of the Senate. I have felt that these officers might be less than forceful in requiring Members of Congress, to whom they owe their jobs, to abide by these reporting requirements.

I prefer, instead, a more independent body. For that reason, I cosponsored an amendment, originally intended to be offered by Congressmen FRENZEL and FASCELL, to establish an independent Federal Elections Commission to monitor the necessary campaign reporting laws.

However, I am pleased with this committee amendment, a compromise worked out by Mr. HAYS and Mr. FRENZEL. It differs from the original bill reported from the House Administration Committee, in that the Comptroller General would not be a member of the Board. The Clerk of the House and the Secretary of the Senate would be nonvoting Board members. The four public citizens, none of whom could be employed by the executive, legislative, or judicial branches of the Government, would be the only voting members. And, finally, the full Senate and the full House of Representatives would have veto power over the Board's recommendations, rather than leaving this power with the House Administration Committee and the Senate Committee on Rules and Administration.

I firmly believe that an independent commission will eliminate the possibility of conflict of interest, reverse the long history of nonenforcement, and increase coordination between the administrators and enforcers of the law. But more importantly, the creation of an independent body would help foster public confidence in the effectiveness and fairness of election laws and in public officials themselves.

Therefore, I urge my colleagues to adopt the committee amendment.

Mr. STEELE. Mr. Chairman, I rise in support of the amendment offered by my distinguished colleagues JOHN ANDERSON and MORRIS UDALL. This amendment would encourage small contributions to congressional candidates by providing for limited Federal matching funds in the general election.

Specifically, this amendment would establish a Federal matching fund by which private contributions of $50 or less would be matched by public funds. This matching payment could not exceed one-third of the spending limit established for that office. In order to qualify for such matching payments, congressional candidates must first demonstrate their popular support by raising 10 percent of their spending limit in contributions of $50 or less.

As a cosponsor of the Anderson-Udall Clean Elections Act from which this provision is drawn, I believe that this amendment is an important step in the effort to reform the way in which we finance our elections. In my view, the way to cleanse our political process of the unhealthy influence of big money and special interests is thorough setting stringent limits on campaign contributions and through the encouragement of small contributors. This is what I have been doing in my own campaign for Governor of Connecticut and I believe that the success I have had is a telling sign that campaign reform truly works.

It is essential that we restore public confidence in our electoral system. And the way to begin is to return politics to the people. This amendment will be a major stride in encouraging the average citizen to get involved in electoral politics and in driving the corrupting influence of big money and special interests out of our campaign financing system.

I urge my colleagues to support this amendment.

Mrs. HECKLER of Massachusetts. Mr. Chairman, today the House is about to take a major step toward restoring honesty to our electoral process. The passage of the Federal Election Campaign Act Amendments will represent our response to Watergate and the cancerous corruption of the election process which this scandal has revealed to us during the last 2 years.

By now everyone understands the harm that can arise from uncontrolled campaign fundraising. The Watergate scandals have made it clear to the American public that money has become the most important campaign resource for candidates running for Federal office and that candidates are responsive to the people who supply it.

Our current system gives special interest groups and the wealthy a disproportionate role in determining outcomes of elections and in the subsequent process of governmental policymaking.

As a member of the Republican Task Force on Election Reform and as the sponsor of campaign reform legislation, I have been an outspoken advocate of public financing of elections as the only viable way to minimize the opportunities for influence peddling and buying in politics.

The bill presently under consideration, H.R. 16090, provides for public financing of Presidential elections from tax dollars paid to a Presidential Election Campaign Fund through the voluntary dollar checkoff on all tax returns.

From this campaign fund Presidential candidates would receive up to $20 million in checkoff funds for the general election and matching payments for contributions of $250 or less for primary elections.

The maximum probable cost of public financing would amount to less than $2 per taxpayer per year. I consider this a small price to pay for the assurance of clean elections and for the revival of citizen participation and interest in congressional and Presidential elections.

Equally important for the reformation of campaign procedures are the provisions of H.R. 16090 which limit campaign contributions and candidate expenditures.

In 1972 the two major Presidential candidates spent more than $45 million in each of their campaigns. These exorbitant figures demonstrate that in the past the emphasis has been on the cost of the campaign while little attention has been given to the issues.

The Federal Election Campaign Act Amendments before us for a vote would prohibit future Presidential candidates from spending more than $20 million in the general election and $10 million in the primary. Candidates for the Senate and the House would be limited to roughly $150,000 for total expenditures in their primary and general election campaigns.

On the other side of the campaign coin, this legislation restricts contributors from investing in candidates by prohibiting individuals from giving more than $1,000 in the primary and in the general election, while a group or organization cannot give more than $5,000 in either election to any candidate for Federal office .

I urge my colleagues to support the Federal Election Campaign Act amendments, legislation which would restore integrity to all Federal elections in 1976 and rebuild the public's confidence in the elected officials of our Government. Enactment of this legislation would signify the return to the principle of "one man, one vote" in our political system.

Mr. MURPHY of New York. Mr. Chairman, as an original sponsor of the Federal Election Campaign Amendments of 1974, I go on record in support of this legislation. The Federal Election Campaign Act of 1971 was a good law and a step in the right direction. Since its en-

actment, most campaign expenditures and contributions have been publicly disclosed. However, some large problems still exist and the purpose of these amendments is to correct these problems.

The purpose of the Federal Election Campaign Amendments of 1974 is:

First. To place limitations on campaign contributions and expenditures;

Second. To facilitate the reporting and disclosure of the sources and disposition of campaign funds by centralizing campaign committees;

Third. To establish a Board of Supervisory Officers to oversee enforcement of and compliance with Federal campaign laws; and

Fourth. To strengthen the law for public financing of Presidential general elections, and to authorize the use of the dollar checkoff fund for financing Presidential nominating conventions and campaigns for nomination to the office of President.

The bill places strict limitations on contributions to candidates for Federal office. Contributions by individuals to candidates are limited in the aggregate to $1,000 per election. Further, an individual is limited to an aggregate of $25,000 in contributions within any calendar year. A major innovation of the bill will prohibit any contributions in cash in excess of $100.

In an effort to reduce the spiraling cost of campaigns, Presidential candidates will be limited to $20,000,000 for election and $10,000,000 for nomination to the office.

In the case of campaigns for nomination for election, or for election to the office of Senator, the limitation is 5 cents times the population of the State, or $75,000, whichever is greater. The expenditure limitation on campaigns for the offices of Representative, Delegate from the District of Columbia, or Resident Commissioner is $75,000. These limitations apply separately to each campaign for nomination for election, or election, to those offices.

In an effort to simplify and improve the disclosure provisions of the campaign law, this legislation would require that each candidate designate a principal campaign committee to make expenditures on behalf of the candidate and to file with the appropriate supervisory officer consolidated reports and statements which include the activities of all the committees which support the candidate.

To enforce all of the laws on elections the bill establishes a seven-member Board of Supervisory Officers composed of the Secretary of the Senate, the Clerk of the House, the Comptroller General and four public members—two appointed by the President of the Senate and two appointed by the Speaker of the House.

The bill under consideration today contains provisions for the public financing of Presidential elections. The present dollar checkoff law, now limited to the financing of Presidential general elections, would be strengthened and expanded. Dollar checkoffs would be self-appropriating. Up to $2 million of such funds could be used for nominating conventions of major parties and lesser amounts for smaller parties. All parties would be limited to $2 million from all sources for convention expenditures. Dollar checkoff funds could be used in Presidential primaries to match private contributions of $250 or less; to be eligible a Persidential primary candidate must have raised $5,000 in private contributions of $250 or less in each of 20 States; no candidate could receive more than $5 million in Federal funds and he could spend no more than $10 million from all sources; funds for Presidential primaries could become available only after obligations for Presidential general elections and nominating conventions have been met.

It is unfortunate that I will not be here to vote on this measure tonight. I have made a major political commitment to my district and it is one of long standing which cannot be broken. However, I wish to be on record in support of the strong provisions provided for in this legislation. And I wish also to state that I am on record in support of this bill as I voted for the rule and against the motion to recommit.

I have long supported congressional election reform and have testified as such in hearings. As I said before the Senate Committee on Communications:

> The Federal Election Law of 1971 was designed to obviate the reprehensible act of anyone seeking to buy a federal election.

The legislation we have brought to the floor today goes a long way toward improving our Federal elections system. And I am gratified to have been a part of that movement.

Mr. DRINAN. Mr. Chairman, as the scandal-ridden Nixon Presidency reaches its anguished conclusion, the job of this Congress to restore the integrity of our political system has only just begun. The disclosure of the serious abuses engaged in by the President and his associates during the 1972 campaign has demonstrated with frightening clarity the need to enact vigorous campaign reform legislation.

Several provisions are essential to any comprehensive campaign reform package.

First, strict limitations must be placed on contributions by individuals or organizations to candidates for Federal office. The pervasive influence of private wealth upon our political system will continue unless such restrictions are adopted.

Second, overall spending ceilings for candidates must be set at responsible levels. These ceilings should be sufficiently high to enable challengers to gain widespread voter recognition, but low enough to prevent any candidate from "buying his way into office" through the expenditure of vast sums of money for mass mailings and media advertising.

Third, we should move as quickly as possible toward a system of public financing for all Federal elections. The special influence of campaign contributors has no proper place in the American political system. Total public financing will insure that Federal officeholders will be equally accountable to all their constituents, not beholden to those who contribute money to help get them elected. The success to date of the voluntary $1 income tax checkoff to finance Presidential contests demonstrates that public financing has widespread support among American taxpayers. Certainly, public financing is far cheaper in the long run than those policies implemented to reward big campaign contributors. The high prices of milk, bread, and gasoline constitute part of the cost borne by consumers today for private financing of the 1972 Presidential election campaign. Partial public financing of Federal election campaigns, while not a fully satisfactory solution, would represent a significant step in the right direction.

Fourth, rigorous requirements for public reporting of all campaign contributions and expenditures must be implemented. Full public accountability during an election campaign can act as an effective deterrent to abuses in the area of campaign financing. All candidates for Federal office should be required to designate a single committee to compile and disclose campaign finances. In order to insure that all campaign funds can be recorded and traced, if necessary, to their source, cash contributions should be prohibited.

All of the vital campaign reform measures summarized above can become meaningful only if they are accompanied by a vigorous enforcement mechanism. Candidates for Federal office cannot be relied upon to police themselves. An independent supervisory body must be established to oversee campaign practices and enforce the law.

During the past few years, Congress has begun to respond to the crying need for campaign reform. The Federal Elections Campaign Act of 1971 established, for the first time, limitations on media expenditures and strict disclosure requirements of campaign contributions and expenditures by all candidates for Federal office. The 1971 legislation provided a solid foundation for future campaign reform initiatives, but it was only a beginning.

Last year, I joined more than 140 Congressmen in sponsoring "The Clean Elections Act of 1973," the so-called "Anderson-Udall bill." This comprehensive legislation meets many of the campaign reform priorities I have enumerated. It sets strict limitations on campaign contributions and expenditures. It requires candidates to designate a central committee to report all campaign finances. It establishes a system of partial public financing for all Federal primary and general elections. Most importantly, perhaps, it creates an independent Federal Elections Commission with substantial enforcement power to oversee campaign practices and administer the law.

I was extremely gratified that the provisions of the "Clean Elections Act" became the basis of the campaign reform bill, S. 3044, passed by the Senate on April 11, 1974. S. 3044 conformed to the Anderson-Udall bill in limiting contributions and expenditures, closing disclosure loopholes, and establishing an independent regulatory commission to enforce the law. The Senate bill went beyond the provisions of the "Clean Elections Act" in providing full public financing of general election campaigns for the House, the Senate, and the Presidency; in conjunction with partial pub-

lic financing of primary campaigns for these same offices.

The campaign reform bill we will consider today, H.R. 16090, contains many worthwhile provisions. Like the Senate-passed bill, it sets strict ceilings on campaign expenditures and contributions for all Federal elections. It requires candidates to establish a central campaign committee for reporting purposes. It provides for full public financing of presidential elections through voluntary tax checkoffs, including primaries, national party conventions, and general election campaigns.

I support all of these aspects of the bill. Certainly, the enactment of H.R. 16090 would substantially improve the conduct of Federal election campaigns. Yet the bill approved by the House Administration Committee is deficient in several important respects. The supervisory body it creates to administer Federal elections law is not truly independent of those it is designed to oversee. Three of the seven members of this part-time Board of Supervisors would be employees of Congress. Moreover, congressional committees would have power to veto regulations promulgated by the Board. I do not believe that such a close connection between Congress and this supervisory body will serve the public interest in assuring vigilant enforcement of Federal elections law.

A second serious shortcoming of H.R. 16090 is its failure to extend public financing to congressional races. The committee's approval of full public financing for presidential elections was based upon the recognized need to safeguard the political process from improper influence exercised by private wealth. Why, then, did they fail to apply the same standard to candidates for Congress? If the President might be influenced by contributors to his campaign, then why are Congressmen immune to similar pressures?

There is no justification for treating Presidential and congressional candidates any differently in this regard. All of our elected officials must be free from special influence if we are to restore integrity to American politics. I believe that we will raise justifiable public suspicions concerning our motives if we enact legislation which forbids private contributions to Presidential candidates while permitting candidates for Congress to receive such funds.

I will support amendments to rectify these deficiencies in H.R. 16090. It is vital that the House enact a strong bill which can be readily reconciled to the provisions of S. 3044 in conference. The public is fed up with corrupt politics and corrupt politicians. The investigations conducted by the Senate Select Committee on Presidential Campaign Activities and the House Judiciary Committee have brought the serious abuses of Watergate and its aftermath out into the open. Now, we, in Congress, must act to prevent future political scandals by enacting vigorous campaign reform legislation. We owe it to the American people to apply the grim lessons of Watergate to this constructive purpose.

Mr. DICKINSON. Mr. Chairman, the political process in our country has undergone a severe strain due to the Watergate crisis and related incidents, and the cry for Federal election campaign reform has been great. Honest elections are essential to the survival of our form of government and there is a constant and ongoing need for legislation in this field. However, this legislation to be effective must be fair and workable, and with that thought in mind, I must vote against H.R. 16090, the Federal Election Campaign Act Amendments of 1974.

There are a number of very strong and positive features in the bill which I do support including an independent administration and enforcement mechanism, limitation on contributions, $100 limitation on cash contributions, limitation on honorariums, prohibition on contributions by foreign nationals, increase in the penalty features, prohibition on contributions in the name of another, the single campaign committee, the reporting requirements, the publishing of a list of those who do not file, repeal of the media limitations, the opening up of the Hatch Act, and the preemption of State laws. Nevertheless, I believe there are other important areas which should have been better handled, and as ranking Republican on the House Administration Committee, it is my duty to offer a motion to recommit the bill to the committee for changes. Under the Rules of the House of Representatives, I must oppose the bill in order to offer the motion to recommit.

The most glaring deficiency in the measure is the absence of sufficient restrictions on the influence of special interest groups. I will offer the motion to recommit with instructions that the bill be reported back to the House of Representatives with an amendment providing that organizations representing business, agriculture, health, labor, and other special interest groups be allowed to act only as agents of individual contributors, but the individual must designate to whom the contribution will be given and the agent must identify the original donor. The amendment is aimed at any special interest group that goes out and skims off the top of the workingman's salary or the businessman's income and says "We will decide for you where your money goes—what candidate will get it—and it does not have to be accounted for." The contributor should say where the money is going to go and to whom it is going to go. This amendment will serve to tighten the special interest group's accountability to its members and the politician's accountability to the individuals who are the ultimate support of his election.

I also find other aspects of the bill particularly unrealistic and will comment on them.

1. FINANCING OF PRESIDENTIAL PRIMARIES

The provisions for public financing of Presidential primaries will inject the Federal Treasury into what many times amounts to a popularity contest under a formula that will probably work unfairly to the candidates involved. The prospect of a Federal subsidy to run for office may very well result in numerous candidates, many of whom may only run because of the desire for publicity.

2. FINANCING OF CONVENTIONS

The financing of political conventions should not be supported by the overburdened Public Treasury. The vitality of the party is enhanced by the participation of its members, while public financing of conventions will undercut individual initiative and participation.

3. POLITICAL PARTIES

Instead of strengthening the role of political parties in the political process, the committee bill, by treating political parties the same as all other political committees, would significantly weaken and contribute to the demise of the two party system. The National and State committees have been traditionally the policymaking bodies of the major parties and are cornerstones of our political system. Therefore, they should be excluded from the definition of political committee for the purpose of contribution limitations.

4. CITIZENS PARTICIPATION

The sheer length and complexity of this bill will discourage citizen participation and involvement perhaps even driving many people right out of politics. There will be ample potential for unintentional violations of the law and many people may worry about going to jail or being fined for an inadvertent violation. It would be ironic indeed if, in the name of reforming our present system of campaign financing, we fail to drive out the special interests and only succeed in driving honest, concerned citizens from participation in the political process.

I regret that I am unable to support the Federal Election Campaign Act Amendments of 1974 in its present form, but I will certainly work for true reform in this field.

Mr. ZWACH. Mr. Chairman, I rise to speak in support of H.R. 16090, the bill to amend the 1971 Federal Elections Campaign Act.

As we near the end of the Watergate scandal, it is imperative that this Congress pass campaign reform legislation to prevent such an atmosphere from recurring in the future. Our Federal elections need stricter regulations and supervision. Campaign contributions and expenditures must be limited and made public if we are to ever reinstill public confidence in the Congress of the United States.

If this Watergate mess has proven anything, it is that the American Constitution is still a strong, living, viable instrument of the people, working for The past year and a half have seen the the people, and being used by the people. three branches of our government working side-by-side to obtain justice and fairness for all concerned with and involved in Watergate.

While the Constitution remains strong, our election laws do not. If we are going to avoid Watergates in the future, whether they be at the Presidential level, in a Senate race, or in the Sixth Congressional District of Minnesota we must make amends of the campaign laws that we have on the books now. H.R. 16090 offers many of the needed changes. However, it does not go far enough, and therefore I will support amendments that I feel will strengthen this bill.

I will support the Anderson-Udall amendment that will provide a matching

system of public and private campaign funds for congressional races. The voluntary checkoff funds would be used to match privately raised moneys in congressional general elections in 1976. I feel this amendment would be a major step, a necessary step to restoring public confidence in the U.S. Congress.

While H.R. 16090 is basically a good bill, it does contain some deficiencies, as the minority view of the committee members points out.

I am especially concerned about the lack of attention in-kind contributions have received in the final version of this bill. Incalculable amounts of goods, services, and manpower are poured into campaigns at all levels of government. Cars, planes, men, storefronts, food, and so forth, are completely ignored in this bill. While I do not believe we should outlaw these in-kind efforts, we surely should control them, list them, and if need be, limit them. But to completely ignore them creates the biggest campaign loophole of all.

In the past, campaign finance legislation has failed us poorly because of the lack of good, effective enforcement. We need to establish a more independent administration and enforcement agency than is established in this bill. Enforcement is the key, and Mr. FRENZEL's amendment would provide a stronger, independent agency to administer the provisions of this bill.

Mr. Chairman, to err is human, but to blame it on someone else is politics. If we are going to continue to have campaign abuses and future Watergates, we have no one to blame but ourselves.

Reform is already too late for 1974. Millions of dollars worth of cash and in-kind contributions are and will be spent to influence the fall congressional and senatorial elections.

Reform for 1976 is not too late. But the time to act is now. H.R. 16090 is timely indeed.

Ms. ABZUG. Mr. Chairman, we will never have a Congress that truly reflects the diversity of the American electorate as long as money dominates political campaigns. Congress will remain—as it is—a predominantly segregated club of white-skinned, upper-middle-class males as long as qualified candidates are precluded from seeking elective office solely because they lack personal wealth or access to the wealth of others. We will never have an electorate that trusts in the political system as long as some politicians feel that they must cater to the whims of special interest groups in order to raise campaign funds or as long as we have laws that allow them to do so.

Our present system of financing elections is unfair, undemocratic, and unacceptable. The Nation has had a tragic experience as a result of the lawbreaking activities of CREEP in 1972 in which President Nixon's reelection committee hauled in, and in some cases extorted, millions of dollars in cash and laundered checks from corporations and private interest groups in order to manipulate a national election and finance illegal activities. Clearly, we need more effective laws and more effective enforcement.

The only way to eliminate reliance on large private contributions and open the elective process to all qualified candidates—irrespective of their financial resources—is through a comprehensive scheme of public financing of all Federal elections. We must be prepared to pay for the public business of elections with public funds. Although the Federal election campaign bill proposed by the Committee on House Administration is a step in the right direction it stops far short of the needed reform. While it provides for the public financing of presidential primaries, conventions, and elections it fails to provide for the public financing of congressional elections. The amendment to be offered by Messrs. UDALL, FOLEY, ANDERSON, and CONABLE seeks to remedy this omission by appropriating some Federal money to congressional candidates.

However, this proposed amendment should not be confused with a "true system" of public financing of congressional elections. First, it only provides public funds to candidates in general elections. Consequently, candidates, in districts that are so dominated by one-party that victory in the primary is tantamount to being elected, will be denied Federal assistance in the only race of importance—the primary. Second, the amendment only provides matching funds up to one-third of the maximum that the candidate can spend—in the case of a House election that amounts to $25,000. In spite of these unsatisfactory aspects, the amendment does contain a number of far-sighted provisions.

First, only contribtuions of $50 or less would be matched by public funding, thereby encouraging a candidate to seek out small contributions. Second, the amendment does not distinguish between major and minor parties. Any candidate from any party who has raised 10 percent of the maximum spending limit in contribtuions of $50 or less is entitled to matching public funds. Since the positive aspects outweigh the deficiencies I will vote in favor of this amendment, and urge each Member of this Chamber to do the same.

While the proposed bill limits the amount a congressional candidate may spend in either a primary or general election it sets these limits so high as to be meaningless. Specifically, under the proposed bill candidates for House seats can spend up to $75,000 on the primary, another $75,000 on the general election plus an additional 25 percent of these maximum amounts to raise campaign funds—a grand total of $187,500. However, less than 5 percent of all candidates for House seats in 1972 spent more than $150,000. In effect then, this "reform law" would make the exceptional spender the rule.

I find these limits far too high, because they only serve to increase the emphasis on money in political campaigns, at a time when just the opposite is needed. These limits would enable the wealthy and those with access to large campaign contributions—especially incumbents—to continue to dominate the elective process. If the spending limits are lowered to correspond more closely to the amount of money that nonaffluent candidates can raise, then the leverage of the rich will be drastically reduced and the elective process will be opened to a greater number of qualified candidates.

Consequently, I will support the amendment to be offered by Mr. CLEVELAND which would reduce the maximum spending limits in congressional elections to $60,000 per candidate. Finally, while the proposed bill simplifies and expands campaign finance reporting procedures, and establishes a commission to scrutinize these reports and enforce the election laws, the composition of the commission is suspect. Three of the seven members of the commission—the Clerk of the House, the Secretary of the Senate, and the Comptroller General of the United States—owe their jobs to the very people whose elections they are supposed to oversee. Certainly, the electorate would have every reason to be skeptical of the vigor with which such a commission would enforce the election laws. Therefore, I intend to support the amendment to be offered by Messrs. FRENZEL and FASCELL which would remove these three officials from the commission.

We desperately need legislation that would enable candidates to compete not for dollars but for votes. The proposed bill is but a beginning. It is in need of amendment along the lines that I have outlined above; and I will support such amendments as they are introduced.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16090) to impose overall limitations on campaign expenditures and political contributions; to provide that each candidate for Federal office shall designate a principal campaign committee; to provide for a single reporting responsibility with respect to receipts and expenditures by certain political committees; to change the times for the filing of reports regarding campaign expenditures and political contributions; to provide for public financing of Presidential nominating conventions and Presidential primary elections; and for other purposes, pursuant to House Resolution 1292, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. BRADEMAS. Mr. Speaker, I demand a separate vote on the so-called Frenzel amendment relating to public financing of presidential nominating conventions.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 53, strike line 17, and all that follows down through page 61, line 4.

Page 61, line 6, strike out "407" and insert in lieu thereof "406".

Page 61, line 15, strike out "408" and insert in lieu thereof "407".

Page 78, line 5, strike out "409" and insert in lieu thereof "408".

Page 79, line 11, strike out "410" and insert in lieu thereof "409".

Page 79, line 15, strike out "408, and 409" and insert in lieu thereof "and 408".

Mr. BRADEMAS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. FRENZEL. Mr. Speaker, reserving the right to object, is this the Frenzel amendment which deletes the use of taxpayers' money for national political Presidential nominating conventions, which the committee defeated by a substantial margin?

Mr. BRADEMAS. The gentleman's colloquy is inaccurate.

Mr. FRENZEL. If it is, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the noes appeared to have it.

RECORDED VOTE

Mr. FRENZEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 205, noes 206, not voting 24, as follows:

[Roll No 468]

AYES—205

Abdnor	Cohen	Gross
Anderson, Ill.	Collier	Grover
Andrews, N. Dak.	Collins, Tex.	Gubser
Archer	Conable	Guyer
Arends	Conlan	Haley
Armstrong	Conte	Hammer-schmidt
Ashbrook	Crane	Hanrahan
Bafalis	Cronin	Harsha
Baker	Daniel, Dan	Hastings
Bauman	Daniel, Robert W., Jr.	Hechler, W. Va.
Beard	Davis, Wis.	Heinz
Bennett	Delaney	Hillis
Bray	Dellenback	Hinshaw
Breaux	Dennis	Hogan
Brinkley	Derwinski	Holt
Broomfield	Devine	Horton
Brotzman	Dickinson	Hosmer
Brown, Mich.	Dorn	Huber
Brown, Ohio	Downing	Hudnut
Broyhill, N.C.	Duncan	Hunt
Broyhill, Va.	du Pont	Hutchinson
Buchanan	Edwards, Ala.	Jarman
Burgener	Erlenborn	Johnson, Colo.
Burke, Fla.	Esch	Johnson, Pa.
Burleson, Tex.	Eshleman	Kemp
Butler	Findley	Ketchum
Byron	Fish	King
Camp	Fisher	Kuykendall
Carter	Flynt	Lagomarsino
Cederberg	Forsythe	Landgrebe
Chamberlain	Fountain	Landrum
Chappell	Frenzel	Latta
Clancy	Frey	Lent
Clausen, Don H.	Froehlich	Lott
Clawson, Del	Gilman	Lujan
Cleveland	Goldwater	McClory
Cochran	Goodling	McCloskey
	Green, Oreg.	McCollister
McDade	Quillen	Stubblefield
McEwen	Railsback	Stuckey
McKinney	Regula	Symms
Madigan	Rhodes	Taicott
Mahon	Rinaldo	Taylor, Mo.
Mallary	Roberts	Thomson, Wis.
Mann	Robinson, Va.	Thone
Maraziti	Robison, N.Y.	Towell, Nev.
Martin, Nebr.	Roncallo, N.Y.	Treen
Martin, N.C.	Rousselot	Vander Jagt
Mathias, Calif.	Ruppe	Veysey
Mayne	Ruth	Waggonner
Michel	Sandman	Walsh
Miller	Sarasin	Wampler
Minshall, Ohio	Satterfield	Ware
Mitchell, N.Y.	Scherle	Whitehurst
Mizell	Sebelius	Widnall
Montgomery	Shoup	Wiggins
Moorhead, Calif.	Shriver	Wilson, Bob
Mosher	Shuster	Winn
Myers	Sikes	Wyatt
Nelsen	Skubitz	Wydler
Nichols	Smith, N.Y.	Wylie
O'Brien	Snyder	Wyman
Parris	Spence	Young, Alaska
Pettis	Stanton, J. William	Young, Fla.
Poage	Steed	Young, Ill.
Powell, Ohio	Steelman	Young, S.C.
Price, Tex.	Steiger, Ariz.	Zion
Pritchard	Steiger, Wis.	Zwach
Quie	Stephens	

NOES—206

Abzug	Ginn	Peyser
Adams	Gonzalez	Pickle
Addabbo	Grasso	Pike
Albert	Green, Pa.	Podell
Alexander	Griffiths	Preyer
Anderson, Calif.	Gude	Price, Ill.
Andrews, N.C.	Gunter	Randall
Annunzio	Hamilton	Rangel
Ashley	Hanley	Rees
Aspin	Hanna	Reid
Badillo	Harrington	Reuss
Barrett	Hawkins	Riegle
Bell	Hays	Rodino
Bergland	Helstoski	Roe
Bevill	Henderson	Rogers
Biaggi	Hicks	Roncalio, Wyo.
Biester	Holtzman	Rooney, Pa.
Bingham	Howard	Rose
Boggs	Hungate	Rosenthal
Boland	Ichord	Rostenkowski
Boiling	Johnson, Calif.	Roush
Bowen	Jones, Ala.	Roy
Brademas	Jones, N.C.	Roybal
Breckinridge	Jones, Okla.	Runnels
Brooks	Jones, Tenn.	Ryan
Brown, Calif.	Jordan	St Germain
Burke, Calif.	Karth	Sarbanes
Burke, Mass.	Kastenmeier	Schroeder
Burlison, Mo.	Kazen	Selberling
Burton, John	Kluczynski	Shipley
Burton, Phillip	Koch	Sisk
Carney, Ohio	Kyros	Slack
Casey, Tex.	Leggett	Smith, Iowa
Clark	Lehman	Staggers
Clay	Litton	Stanton, James V.
Collins, Ill.	Long, La.	Stark
Conyers	Long, Md.	Steele
Corman	Luken	Stokes
Cotter	McCormack	Stratton
Coughlin	McFall	Studds
Culver	McKay	Sullivan
Daniels, Dominick V.	Macdonald	Symington
Danielson	Madden	Taylor, N.C.
Davis, S.C.	Mathis, Ga.	Thompson, N.J.
de la Garza	Matsunaga	Thornton
Dellums	Mazzoli	Tiernan
Denholm	Meeds	Traxler
Dent	Melcher	Udall
Diggs	Metcalfe	Ullman
Dingell	Mezvinsky	Van Deerlin
Donohue	Mills	Vander Veen
Drinan	Minish	Vanik
Eckhardt	Mink	Vigorito
Edwards, Calif.	Mitchell, Md.	Waldie
Eilberg	Moakley	Whalen
Evans, Colo.	Moorhead, Pa.	White
Evins, Tenn.	Morgan	Whitten
Fascell	Moss	Wilson, Charles H., Calif.
Flood	Murphy, Ill.	Wilson, Charles, Tex.
Flowers	Murtha	Wolff
Foley	Natcher	Wright
Ford	Nedzi	Yates
Fraser	Nix	Yatron
Fulton	Obey	Young, Ga.
Fuqua	O'Hara	Young, Tex.
Gaydos	O'Neill	Zablocki
Gettys	Owens	
Giaimo	Patman	
Gibbons	Patten	
	Pepper	
	Perkins	

NOT VOTING—24

Blackburn	Gray	Mollohan
Blatnik	Hansen, Idaho	Murphy, N.Y.
Brasco	Hansen, Wash.	Passman
Carey, N.Y.	Hébert	Rarick
Chisholm	Heckler, Mass.	Rooney, N.Y.
Davis, Ga.	Holifield	Schneebeli
Dulski	McSpadden	Teague
Frelinghuysen	Milford	Williams

The SPEAKER. On this vote the ayes are 205, the noes are 205. The Chair votes "no."

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Murphy of New York against.

Mr. Rarick for, with Mrs. Chisholm against.

Mr. Passman for, with Mrs. Heckler of Massachusetts against.

Mr. Blackburn for, with Mr. Carey of New York against.

Mr. Frelinghuysen for, with Mr. Mollohan against.

Mr. Schneebeli for, with Mr. Dulski against.

Until further notice:

Mr. Teague with Mr. Holifield.

Mr. McSpadden with Mr. Blatnik.

Mr. Davis of Georgia with Mrs. Hansen of Washington.

Mr. Gray with Mr. Rooney of New York.

Mr. Milford with Mr. Williams.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DICKINSON

Mr. DICKINSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DICKINSON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DICKINSON moves to recommit the bill, H.R. 16090, to the Committee on House Administration with instructions to report the same back to the House forthwith with the following amendment: Page 4, immediately after line 8, insert the following:

"(7) No candidate or any political committee acting on behalf of such candidate may knowingly accept any contribution from any political committee, other than from an individual or from a local, State, or national political party organization registered under section 303 of the Federal Election Campaign Act of 1971, unless (A) such political committee making such contribution is acting as the agent of an individual contributor, (B) the individual contributor designates such candidate or any political committee acting on behalf of such candidate as the recipient of such contribution, and (C) the identity of the individual contributor is furnished by the political committee making such contribution to such candidate or the political committee acting on his behalf which receives such contribution. No undesignated contribution which a political committee receives from an individual contributor may be made by such political committee to a candidate or any political committee acting on behalf of such candidate.".

Mr. DICKINSON. Mr. Speaker, if I might say to my colleagues, they received through the mail a copy of the proposed

amendment which was not in order, but I will explain it in layman's terms.

I offer this motion to recommit with instructions because although I believe there are a number of places I believe the bill could be improved, the most glaring of the deficiencies in the measure is the absence of sufficient restrictions on the influence of special interest groups.

I was very surprised to hear the chairman of my committee, for whom I have the highest regard, try to make this into a labor amendment or an antilabor amendment. I have here in my hand the front page of today's paper, the Washington Post. It shows a picture under the caption of "Pleads Guilty." It shows Jake Jacobsen and it says:

Jake Jacobsen, former lawyer for the largest U.S. milk cooperative, leaves court after pleading guilty to making a $10,000 payoff to former Treasury Secretary John Connally.

Then it says the further story is inside.

And I also note from the UPI News Service the following:

WASHINGTON.—Sen. Henry Jackson, D-Wash., received $225,000 in secret donations to his 1972 presidential campaign from oil millionaire Leon Hess, according to Senate Watergate Committee records.

The Washington Star-News said the records showed that Hess disguised the donations under the names of other persons. The contributions were made before the April 1972, change in the election law that required contributions be made public.

The records showed another $166,000 in secret cash contributions to Jackson, with more than half of the money coming from other oilmen, the newspaper said. The largest cash gift—$50,000—came from Walter Davis, an oil operator in Midland, Tex.

The committee's files showed that Jackson raised a total of just over $1.1 million for the 1972 race—and nearly half the money came from large donors, including Hess, who were at the same time supporting President Nixon's campaign.

Hess is Board Chairman of Amerada Hess Corp.

Mr. Speaker, if we are to have a campaign reform bill that is meaningful, if we are going to do something here today to get at the evils we are all lamenting and we are aware of, let us all get at them now.

This is not aimed at labor. This is aimed at any special interest group that goes out and skims off the top of the workingman's salary or the businessman's income and says: "We will decide for you where your money should best go and it does not have to be accounted for." They do not have to account for it. They say: "You do not have to designate where it goes. We will decide for you."

Out of all the scandals that have surfaced recently, can any Member think of anything that needs more regulation, that is more deserving of being looked at and gotten to in this legislation, in this so-called campaign reform, than this one area? I refer the Members specifically to such organizations as the AMPI, the American Milk Producers, Inc., and we can go to the labor unions too. The labor unions can take what they want through checkoff. The rank and file does not know what that money is going for, but this is not aimed just at them.

The biggest scandals have come from the areas I have described, and there it is on the front page of today's paper where big business can go in and tap this guy and this guy and this little milk producer, or whatever industry is involved, and say, "All right, you just keep the money coming in and we will sluice it where it is going to do the most good." This amendment would prohibit that. It says if one is going to contribute individually to someone acting as an agent to sluice it for one, to guide it where it is going to do the most good, you designate where it is going to do the most good because if you do not we will put it there for you. This is the evil that needs correcting. Anybody can give if he wants to.

The chairman makes a big thing that if one is going to give $1,000, is one going to have to have 1,000 pieces of paper? Well, what is wrong with that? We see 1,000 pieces of paper in our office every day. The contributor should say where the money is going to go and to whom it is going to go. What is wrong with that? Can somebody tell me what is wrong with telling where he wants his money to go? There is nothing illegal and there is nothing immoral with that. It is just commonsense in getting at the evils we are trying to get at.

This is just obfuscation and pulling the wool over the eyes in saying that this is antilabor and this is going to get at the little workingman. Little workingman, my foot. Ask about John Connally and about Jacobsen or ask about those who already have gotten the slammer closed on them. Talk about the little workingman.

So if the Members want to do something to get at the evils of directing money and collecting money and telling where it is to go, if they want to make campaigns cleaner, this is the way to do it. Vote for the motion to recommit with instructions that gets at what we are going to do when we start taking up money.

Mr. HAYS. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, I have sat beside my genial friend, the gentleman from Alabama, on the House Administration Committee for a good many years. I never knew him to get so worked up about anything and I never knew before that he was such a master of obfuscation and circumlocution.

The truth of the matter is, that the piece of paper he very dramatically waved, does not have anything to do with this bill or anything in this bill. The money that Mr. Jacobsen allegedly gave to Mr. Connally was not a campaign contribution, or at least the allegation is not, because Mr. Connally was not a candidate for anything. I am not finding Mr. Connally guilty of anything, but—just sit down, Mr. BROWN. I am not going to yield to you in any way, so do not bother me anymore, just sit down. Do not be trying to disrupt my time.

Mr. Jacobsen pleaded guilty in court, as I understand it, to attempting to bribe, or bribing an official of the Government to get a favorable ruling.

Now, when the gentleman says that his amendment is not aimed at labor, he is not kidding me or anybody else. Sure, all members of a laboring union—in the first place, a labor union cannot spend checkoff funds or union dues, and if they do, they are subject to criminal penalties. The only thing they can do is collect a voluntary fund and if the workingman says, "I want to contribute $1" and there are 100,000 members and 50,000 want to contribute a dollar, they have to get 50,000 pieces of paper; but if the American Medical Association, and their average national income is around $60,000 a year these days—and they contribute $1,000 and to raise $50,000, they do not have to get 50,000 pieces of paper, just 50. That is what the amendment is all about.

I do not yield to the gentleman (Mr. BROWN). If I had a piece of tape, I would like to put it over his face. I do not see how in the world I am going to hush him up while I am talking.

Mr. Speaker, I can understand the Republican boo hoos. If I were in the situation they are and looking forward to 9 o'clock, I would be doing worse than boo hoo-hooing. I would be standing on my head.

Let us face it. This is about as partisan a motion to recommit as was ever made.

I like the gentleman from Alabama and the fact that they shifted the motion from the gentleman from Ohio (Mr. BROWN) to the gentleman from Alabama improves it only in the author of the amendment. It does not improve the amendment.

So therefore, I ask that the motion to recommit be defeated.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

RECORDED VOTE

Mr. DICKINSON. Mr. Speaker, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 164, noes 243, not voting 27, as follows:

[Roll No. 469]

AYES—164

Abdnor	Clawson, Del	Gross
Anderson, Ill.	Cleveland	Grover
Andrews, N. Dak.	Cochran	Gubser
Archer	Collier	Hammer-schmidt
Arends	Collins, Tex.	Hanrahan
Armstrong	Conable	Harsha
Ashbrook	Conlan	Hastings
Bafalis	Crane	Hinshaw
Baker	Daniel, Dan	Holt
Bauman	Daniel, Robert W., Jr.	Hosmer
Beard	Davis, Wis.	Huber
Bell	Dennis	Hudnut
Bray	Derwinski	Hunt
Broomfield	Devine	Hutchinson
Brotzman	Dickinson	Jarman
Brown, Mich.	Duncan	Johnson, Colo.
Brown, Ohio	du Pont	Johnson, Pa.
Broyhill, N.C.	Edwards, Ala.	Kemp
Broyhill, Va.	Erlenborn	Ketchum
Buchanan	Esch	King
Burgener	Eshleman	Kuykendall
Burke, Fla.	Findley	Lagomarsino
Burleson, Tex.	Fish	Landgrebe
Butler	Fisher	Latta
Camp	Forsythe	Lott
Carter	Frelinghuysen	Lujan
Cederberg	Frenzel	McClory
Chamberlain	Frey	McCollister
Clancy	Froehlich	McDade
Clausen, Don H.	Goldwater	McEwen
	Goodling	Madigan

Mallary
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Mayne
Michel
Miller
Minshall, Ohio
Mizell
Montgomery
Moorhead, Calif.
Mosher
Myers
Nelsen
O'Brien
Parris
Pettis
Powell, Ohio
Price, Tex.
Quie
Quillen
Railsback
Rhodes
Robinson, Va.
Robison, N.Y.
Rousselot
Runnels
Ruppe
Ruth
Sandman
Satterfield
Scherle
Sebelius
Shoup
Shriver
Shuster
Skubitz
Smith, N.Y.
Snyder
Spence
Stanton, J. William
Steelman
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Symms
Talcott
Taylor, Mo.
Thomson, Wis.
Thone
Towell, Nev.
Treen
Vander Jagt
Veysey
Wampler
Ware
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Young, Fla.
Young, Ill.
Young, S.C.
Zion
Zwach

NOES—243

Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Andrews, N.C.
Annunzio
Ashley
Aspin
Badillo
Barrett
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Boggs
Boland
Bolling
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brooks
Brown, Calif.
Burke, Calif.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Byron
Carney, Ohio
Casey, Tex.
Chappell
Clark
Clay
Cohen
Collins, Ill.
Conte
Conyers
Corman
Cotter
Coughlin
Cronin
Culver
Daniels, Dominick V.
Danielson
Davis, S.C.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dent
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fascell
Flood
Flowers
Foley
Ford
Fountain
Fraser
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Gilman
Ginn
Gonzalez
Grasso
Green, Oreg.
Green, Pa.
Griffiths
Gude
Gunter
Guyer
Haley
Hamilton
Hanley
Hanna
Harrington
Hawkins
Hays
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hogan
Holtzman
Horton
Howard
Hungate
Ichord
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kluczynski
Koch
Kyros
Leggett
Lehman
Lent
Litton
Long, La.
Long, Md.
Luken
McCloskey
McCormack
McFall
McKinney
Macdonald
Madden
Mahon
Mann
Maraziti
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Mills
Minish
Mink
Mitchell, N.Y.
Moakley
Moorhead, Pa.
Morgan
Moss
Murphy, Ill.
Murtha
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Patman
Patten
Pepper
Perkins
Pike
Poage
Podell
Preyer
Price, Ill.
Pritchard
Randall
Rangel
Rees
Regula
Reid
Reuss
Riegle
Rinaldo
Roberts
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncalio, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Ryan
St Germain
Sarasin
Sarbanes
Schroeder
Seiberling
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stanton, James V.
Stark
Steed
Steele
Stephens
Stokes
Stratton
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.
Tiernan
Traxler
Udall
Ullman
Van Deerlin
Vander Veen
Vanik
Vigorito
Waggonner
Waldie
Walsh
Whalen
White
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Wolff
Wright
Yates
Yatron
Young, Alaska
Young, Ga.
Young, Tex.
Zablocki

NOT VOTING—27

Blackburn
Blatnik
Brasco
Carey, N.Y.
Chisholm
Davis, Ga.
Diggs
Flynt
Gray
Hansen, Idaho
Hansen, Wash.
Hébert
Heckler, Mass.
Holifield
Landrum
McKay
McSpadden
Milford
Mitchell, Md.
Mollohan
Murphy, N.Y.
Passman
Rarick
Rooney, N.Y.
Schneebeli
Teague
Williams

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Murphy of New York against.

Mr. Passman for, with Mr. Carey of New York against.

Mr. Rarick for, with Mrs. Chisholm against.

Mr. Flynt for, with Mr. Diggs against.

Mr. Landrum for, with Mrs. Heckler of Massachusetts against.

Until further notice:

Mr. Mitchell of Maryland with Mr. Blatnik.

Mr. Mollohan with Mrs. Hansen of Washington.

Mr. Rooney of New York with Mr. Holifield.

Mr. Davis of Georgia with Mr. McKay.

Mr. Gray with Mr. McSpadden.

Mr. Milford with Mr. Schneebeli.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SCHERLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 355, nays 48, not voting 31, as follows:

[Roll No. 470]

YEAS—355

Abdnor
Abzug
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
Badillo
Bafalis
Barrett
Beard
Bell
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Boggs
Boland
Bolling
Bowen
Brademas
Bray
Breaux
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Clay
Cleveland
Cochran
Cohen
Collier
Collins, Ill.
Conable
Conlan
Conte
Conyers
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert W., Jr.
Daniels, Dominick V.
Danielson
Davis, S.C.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Dingell
Donohue
Dorn
Downing
Drinan
Dulski
du Pont
Eckhardt
Edwards, Calif.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Flood
Flowers
Foley
Ford
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Grasso
Green, Oreg.
Green, Pa.
Grover
Gude
Gunter
Guyer
Haley
Hamilton
Hammer-schmidt
Hanley
Hanna
Hanrahan
Harrington
Harsha
Hastings
Hawkins
Hays
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hogan
Holtzman
Horton
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kemp
King
Kluczynski
Koch
Kuykendall
Kyros
Lagomarsino
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Lott
Lujan
Luken
McClory
McCloskey
McCormack
McDade
McEwen
McFall
McKinney
Macdonald
Madden
Madigan
Mahon
Mallary
Mann
Maraziti
Martin, N.C.
Mathias, Calif.
Mathis, Ga.
Matsunaga
Mayne
Mazzoli
Meeds
Melcher
Metcalfe
Mezvinsky
Miller
Mills
Minish
Mink
Minshall, Ohio
Mitchell, N.Y.
Mizell
Moakley
Montgomery
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murtha
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Brien
O'Hara
O'Neill
Owens
Parris
Patman
Patten
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Podell
Preyer
Price, Ill.
Pritchard
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reid
Reuss
Riegle
Rinaldo
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncalio, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ruppe
Ruth
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Satterfield
Scherle
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steele
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Traxler
Udall
Ullman
Van Deerlin
Vander Veen
Vanik
Veysey
Vigorito
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Whitten
Widnall
Wilson, Bob
Wilson, Charles H., Calif.
Wilson, Charles, Tex.
Winn
Wolff
Wright
Wyatt
Wydler
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Ill.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—48

Archer
Arends
Armstrong
Ashbrook
Baker
Bauman
Brown, Ohio
Burke, Fla.
Camp
Clancy
Clawson, Del
Collins, Tex.
Crane
Davis, Wis.
Devine
Dickinson
Duncan
Edwards, Ala.
Erlenborn
Fisher
Goodling
Gross
Gubser
Holt
Hosmer
Ketchum
Landgrebe
McCollister
Martin, Nebr.
Michel
Powell, Ohio
Price, Tex.
Rhodes
Rousselot
Shuster
Skubitz
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Symms
Treen
Vander Jagt
Waggonner
Wiggins
Wylie
Wyman
Young, S.C.

NOT VOTING—31

Blackburn	Hansen, Wash.	Mollohan
Blatnik	Hébert	Murphy, N.Y.
Brasco	Heckler, Mass.	Passman
Carey, N.Y.	Hinshaw	Rarick
Chisholm	Holifield	Rooney, N.Y.
Davis, Ga.	Landrum	Schneebeli
Diggs	Long, Md.	Teague
Flynt	McKay	Waldie
Gray	McSpadden	Williams
Griffiths	Milford	
Hansen, Idaho	Mitchell, Md.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Landrum for, with Mr. Hébert against.

Mr. Flynt for, with Mr. Passman against.

Mr. Mitchell of Maryland for, with Mr. Rarick against.

Until further notice:

Mr. Murphy of New York with Mr. Blatnik.

Mr. Rooney of New York with Mrs. Griffiths.

Mr. Teague with Mrs. Hansen of Washington.

Mr. Carey of New York wtih Mr. McKay.

Mrs. Chisholm with Mr. McSpadden.

Mr. Davis of Georgia with Mr. Hinshaw.

Mr. Diggs with Mr. Gray.

Mr. Mollohan with Mr. Long of Maryland.

Mr. Milford with Mr. Holifield.

Mr. Waldie with Mr. Williams.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. HAYS. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from the further consideration of the Senate 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, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentleman from Ohio (Mr. HAYS)?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Election Campaign Act Amendments of 1974".

TITLE I—FINANCING OF FEDERAL CAMPAIGNS

PUBLIC FINANCING PROVISIONS

SEC. 101. The Federal Election Campaign Act of 1971 is amended by adding at the end thereof the following new title:

"TITLE V—PUBLIC FINANCING OF FEDERAL ELECTION CAMPAIGNS

"DEFINITIONS

"SEC. 501. For purposes of this title, the term—

"(1) 'candidate', 'Commission', 'contribution', 'expenditure', 'national committee', 'political committee', 'political party', or 'State' has the meaning given it in section 301 of this Act;

"(2) 'authorized committee' means the central campaign committee of a candidate (under section 310 of this Act) or any political committee authorized in writing by that candidate to make or receive contributions or to make expenditures on his behalf;

"(3) 'Federal office' means the office of President, Senator, or Representative;

"(4) 'Representative' means a Member of the House of Representatives, the Resident Commissioner from the Commonwealth of Puerto Rico, and the Delegates from the District of Columbia, Guam, and the Virgin Islands;

"(5) 'general election' means any regularly scheduled or special election held for the purpose of electing a candidate to Federal office or for the purpose of electing presidential and vice presidential electors;

"(6) 'primary election' means (A) an election, including a runoff election, held for the nomination by a political party of a candidate for election to Federal office, (B) a convention or caucus of a political party held for the nomination of such candidate, (C) a convention, caucus, or election held for the selection of delegates to a national nominating convention of a political party, and (D) an election held for the expression of a preference for the nomination by a political party of persons for election to the office of President;

"(7) 'eligible candidate' means a candidate who is eligible, under section 502, for payments under this title;

"(8) 'major party' means, with respect to an election for any Federal office—

"(A) a political party whose candidate for election to that office in the preceding general election for that office received, as the candidate of that party, 25 percent or more of the total number of votes cast in that election for all candidates for that office, or

"(B) if only one political party qualifies as a major party under the provisions of subparagraph (A), the political party whose candidate for election to that office in that election received, as the candidate of that party, the second greatest number of votes cast in that election for all candidates for that office (if such number is equal to 15 percent or more of the total number of votes cast in that election for all candidates for that office, and if, in a State which registers voters by party, that party's registration in such State or district is equal to 15 per centum or more of the total voter registration in said State or district);

"(9) 'minor party' mean, with respect to an election for a Federal office, a political party whose candidate for election to that office in the preceding general election for that office received, as the candidate of that party, at least 5 percent but less than 25 percent of the total number of votes cast in that election for all candidates for that office; and

"(10) 'fund' means the Federal Election Campaign Fund established under section 506(a).

"ELIGIBILITY FOR PAYMENTS

"SEC. 502 (a) To be eligible to receive payments under this title, a candidate shall agree—

"(1) to obtain and to furnish to the Commission any evidence it may request about his campaign expenditures and contributions;

"(2) to keep and to furnish to the Commission any records, books, and other information it may request;

"(3) to an audit and examination by the Commission under section 507 and to pay any amounts required under section 507; and

"(4) to furnish statements of expenditures and proposed expenditures required under section 508.

"(b) Every such candidate shall certify to the Commission that—

"(1) the candidate and his authorized committees will not make expenditures greater than the limitations in section 504; and

"(2) no contributions will be accepted by the candidate or his authorized committees in violation of section 615(b) of title 18, United States Code.

"(c)(1) To be eligible to receive any payments under section 506 for use in connection with his primary election campaign, a candidate shall certify to the Commission that—

"(A) he is seeking nomination by a political party for election as a Representative and he and his authorized committees have received contributions for that campaign of more than $10,000;

"(B) he is seeking nomination by a political party for election to the Senate and he and his authorized committees have received contributions for that campaign equal in amount to the lesser of—

"(i) 20 percent of the maximum amount he may spend in connection with his primary election campaign under section 504(a)(1); or

"(ii) $125,000; or

"(C) he is seeking nomination by a political party for election to the office of President and he and his authorized committees have received contributions for his campaign throughout the United States in a total amount of more than $250,000, with not less than $5,000 in matchable contributions having been received from legal residents of each of at least twenty States.

"(2) To be eligible to receive any payments under section 506 for use in connection with a primary runoff election campaign, a candidate shall certify to the Commission that he is seeking nomination by a political party for election as a Representative or as a Senator, and that he is a candidate for such nomination in a runoff primary election. Such a candidate is not required to receive any minimum amount of contributions before receiving payments under this title.

"(d) To be eligible to receive any payments under section 506 in connection with his general election campaign, a candidate must certify to the Commission that—

"(1) he is the nominee of a major or minor party for election to Federal office; or

"(2) in the case of any other candidate, he is seeking election to Federal office and he and his authorized committees have received contributions for that campaign in a total amount of not less than the campaign fund required under subsection (c) of a candidate for nomination for election to that office, determined in accordance with the provisions of subsection (e) (disregarding the words 'for nomination' in paragraph (2) of such subsection and substituting the words 'general election' for 'primary election' in paragraphs (2) and (3) of such subsection).

"(e) In determining the amount of contributions received by a candidate and his authorized committees for purposes of subsection (c) and for purposes of subsection (d)(2)—

"(1) no contribution received by the candidate or any of his authorized committees as a subscription, loan, advance, or deposit, or as a contribution of products or services, shall be taken into account;

"(2) in the case of a candidate for nomination 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 in connection with his primary election campaign; and

"(3) in the case of any other candidate, 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 in connection with his primary election campaign.

"(f) Agreements and certifications under this section shall be filed with the Commission at the time required by the Commission.

"ENTITLEMENT TO PAYMENTS

"SEC. 503. (a)(1) Every eligible candidate is entitled to payments in connection with his primary election campaign in an amount which is equal to the amount of contributions received by that candidate or his authorized committees, except that no contribution received as a subscription, loan, advance, or deposit, or as a contribution of products or services, shall be taken into account.

"(2) For purposes of paragraph (1)—

"(A) in the case of a candidate for nomination 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 primary election campaign; and

"(B) in the case of any other candidate for nomination 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 primary election campaign.

"(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 which is equal to the amount of expenditures the candidate may make in connection with that campaign under section 504.

"(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 greater of—

"(A) an amount which bears the same ratio to the amount of payments to which a candidate of a major party for the same office is entitled under this subsection 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 general election; or

"(B) an amount which bears the same ratio to the amount of payments to which a candidate of a major party for the same office is entitled under this subsection as the total number of popular votes received by that eligible candidate as a candidate for that office (other than votes he received as the candidate of a major 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 general election.

"(3)(A) A candidate who is eligible under section 502(d)(2) to receive payments under section 506 is entitled to payments for use in his general election campaign in an amount equal to the amount determined under subparagraph (B).

"(B) If a candidate whose entitlement is determined under this subparagraph received, in the preceding general election held for the office to which he seeks election, 5 percent or more of the total number of votes cast for all candidates for that office, he is entitled to receive payments for use in his general election campaign in an amount (not in excess of the applicable limitation under section 504) equal to an amount which bears the same ratio to the amount of the payment under section 506 to which the nominee of a major party is entitled for use in his general election campaign for that office as the number of votes received by that candidate 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. The entitlement of a candidate for election to any Federal office who, in the preceding general election held for that office, was the candidate of a major or minor party shall not be determined under this paragraph.

"(4) An eligible candidate who is the nominee of a minor party or whose entitlement is determined under section 502(d)(2) and who receives 5 percent or more of the total number of votes cast in the current election, is entitled to payments under section 506 after the election for expenditures made or incurred in connection with his general election campaign in an amount (not in excess of the applicable limitation under section 504) equal to—

"(A) an amount which bears the same ratio to the amount of the payments under section 506 to which the nominee of a major party was or would have been entitled for use in his campaign for election to that office as the number of votes received by the candidate in that election bears to the average number of votes cast for all major party candidates for that office in that election, reduced by

"(B) any amount paid to the candidate under section 506 before the election.

"(5) In applying the provisions of this section to a candidate for election to the office of President—

"(A) votes cast for electors affiliated with a political party shall be considered to be cast for the Presidential candidate of that party, and

"(B) votes cast for electors publicly pledged to cast their electoral votes for a candidate shall be considered to be cast for that candidate.

"(c) Notwithstanding the provisions of subsections (a) and (b), no candidate is entitled to the payment of any amount under this section which, when added to the total amount of contributions received by him and his authorized committees and any other payments made to him under this title for his primary or general election campaign, exceeds the amount of the expenditure limitation applicable to him for that campaign under section 504.

"EXPENDITURE LIMITATIONS

"SEC. 504. (a)(1) Except to the extent that such amounts are changed under subsection (f)(2), no candidate (other than a candidate for nomination for election to the office of President) who receives payments under this title for use in his primary election campaign may make expenditures in connection with that campaign in excess of the greater of—

"(A) 8 cents multiplied by the voting age population (as certified under subsection (g)) of the geographical area in which the election for such nomination is held, or

"(B)(i) $125,000, if the Federal office sought is that of Senator, or Representative from a State which is entitled to only one Representative, or

"(ii) $90,000, if the Federal office sought is that of Representative from a State which is entitled to more than one Representative.

"(2)(A) No candidate for nomination for election to the office of President may make expenditures in any State in which he is a candidate in a primary election in excess of two times the amount which a candidate for nomination for election to the office of Senator from that State (or for nomination for election to the office of Delegate in the case of the District of Columbia, the Virgin Islands, or Guam, or to the office of Resident Commissioner in the case of Puerto Rico) may expend in that State in connection with his primary election campaign.

"(B) Notwithstanding the provisions of subparagraph (A), no such candidate may make expenditures throughout the United States in connection with his campaign for that nomination in excess of an amount equal to 10 cents multiplied by the voting age population of the United States. For purposes of this subparagraph, the term 'United States' means the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, Guam, and the Virgin Islands and any area from which a delegate to the national nominating convention of a political party is selected.

"(b) Except to the extent that such amounts are changed under subsection (f)(2), no candidate who receives payments under this title for use in his general election campaign may make expenditures in connection with that campaign in excess of the greater of—

"(1) 12 cents multiplied by the voting age population (as certified under subsection (g)) of the geographical area in which the election is held, or

"(2)(A) $175,000, if the Federal office sought is that of Senator, or Representative from a State which is entitled to only one Representative, or

"(B) $90,000, if the Federal office sought is that of Representative from a State which is entitled to more than one Representative.

"(c) No candidate who is unopposed in a general election may make expenditures in connection with his general election campaign in excess of 10 percent of the limitation in subsection (b).

"(d) The Commission shall prescribe regulations under which any expenditure by a candidate for nomination for election to the office of President for use in two or more States shall be attributed to such candidate's expenditure limitation in each such State under subsection (a)(2)(A) of this section, based on the voting age population in such State which can reasonably be expected to be influenced by such expenditure.

"(e)(1) Expenditures made on behalf of any candidate are, for the purposes of this section, considered to be made by such candidate.

"(2) Expenditures made by or on behalf of any candidate for the office of Vice President of the United States are, for the purposes of this section, considered to be made by the candidate for the office of President of the United States with whom he is running.

"(3) For purposes of this subsection, an expenditure is made on behalf of a candidate, including a Vice Presidential candidate, if it it made by—

"(A) an authorized committee or any other agent of the candidate for the purposes of making any expenditure;

"(B) any person authorized or requested by the candidate, an authorized committee of the candidate, or an agent of the candidate to make the expenditure; or

"(C) a national or State committee of a political party in connection with a primary or general election campaign of that candidate, if such expenditure is in excess of the limitations of section 614(b) of title 18, United States Code.

"(4) For purposes of this section an expenditure made by the national committee of a political party, or by the State committee of a political party, in connection with the general election campaign of a candidate affiliated with that party which is not in excess of the limitations contained in section 614(b) of title 18, United States Code, is not considered to be an expenditure made on behalf of that candidate.

"(f)(1) For purposes of paragraph (2)—

"(A) 'price index' means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics, and

"(B) 'base period' means the calendar year 1973.

"(2) At the beginning of each calendar year (commencing in 1975), as necessary data become available from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Com-

mission and publish in the Federal Register the percentage difference between the price index for the twelve months preceding the beginning of such calendar year and the price index for the base period. Each amount determined under subsections (a) and (b) shall be changed by such percentage difference. Each amount so changed shall be the amount in effect for such calendar year.

"(g) During the first week of January, 1975, and every subsequent year, the Secretary of Commerce shall certify to the Commission and publish in the Federal Register an estimate of the voting age population of the United States, of each State, and of each congressional district as of the first day of July next preceding the date of certification. The term 'voting age population' means resident population, eighteen years of age or older.

"(h) Upon receiving the certification of the Secretary of Commerce and of the Secretary of Labor, the Commission shall publish in the Federal Register the applicable expenditure limitations in effect for the calendar year for the United States, and for each State and congressional district under this section.

"(i) In the case of a candidate who is campaigning for election to the House of Representatives from a district which has been established, or the boundaries of which have been altered, since the preceding general election for such office, the determination of the amount and the determination of whether the candidate is a major party candidate or a minor party candidate or is otherwise entitled to payments under this title shall be made by the Commission based upon the number of votes cast in the preceding general election for such office by voters residing within the area encompassed in the new or altered district.

"CERTIFICATIONS BY COMMISSION

"SEC. 505. (a) On the basis of the evidence, books, records, and information furnished by each candidate eligible to receive payments under section 506, and prior to examination and audit under section 507, the Commission shall certify from time to time to the Secretary of the Treasury for payment to each candidate the amount to which that candidate is entitled.

"(b) Initial certifications by the Commission under subsection (a), and all determinations made by it under this title, shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 507 and judicial review under section 313.

"PAYMENTS TO ELIGIBLE CANDIDATES

"SEC. 506. (a) There is established within the Treasury a fund to be known as the Federal Election Campaign Fund. There are authorized to be appropriated to the fund amounts equal to the sum of the amounts designated by taxpayers under section 6096 of the Internal Revenue Code of 1954 not previously taken into account for purposes of this subsection, and such additional amounts as may be necessary to carry out the provisions of this title without any reduction under subsection (c). The moneys in the fund shall remain available without fiscal year limitation. The Secretary of the Treasury may accept and credit to the fund money received in the form of a donation, gift, legacy, or bequest, or otherwise contributed to the fund.

"(b) Upon receipt of a certification from the Commission under section 505, the Secretary of the Treasury shall pay the amount certified by the Commission to the candidate to whom the certification relates.

"(c)(1) If the Secretary of the Treasury determines that the moneys in the fund are not, or may not be, sufficient to pay the full amount of entitlement to all candidates eligible to receive payments, he shall reduce the amount to which each candidate is entitled under section 503 by a percentage equal to the percentage obtained by dividing (A) the amount of money remaining in the fund at the time of such determination by (B) the total amount which all candidates eligible to receive payments are entitled to receive under section 503. If additional candidates become eligible under section 502 after the Secretary determines there are insufficient moneys in the fund, he shall make any further reductions in the amounts payable to all eligible candidates necessary to carryout the purposes of this subsection. The Secretary shall notify the Commission and each eligible candidate by registered mail of the reduction in the amount to which that candidate is entitled under section 503.

"(2) If, as a result of a reduction under this subsection in the amount to which an eligible candidate is entitled under section 503, payments have been made under this section in excess of the amount to which such candidate is entitled, that candidate is liable for repayment to the fund of the excess under procedures the Commission shall prescribe by regulation.

"(d) No payment shall be made under this title to any candidate for any campaign in connection with any election occurring before January 1, 1976.

"EXAMINATION AND AUDITS; REPAYMENTS

"SEC. 507. (a) After each Federal election, the Commission shall conduct a thorough examination and audit of the campaign expenditures of all candidates for Federal office who received payments under this title for use in campaigns relating to that election.

"(b)(1) If the Commission determines that any portion of the payments made to an eligible candidate under section 506 was in excess of the aggregate amount of the payments to which the candidate was entitled, it shall so notify that candidate, and he shall pay to the Secretary of the Treasury an amount equal to the excess amount. If the Commission determines that any portion of the payments made to a candidate under section 506 for use in his primary election campaign or his general election campaign was not used to make expenditures in connection with that campaign, the Commission shall so notify the candidate and he shall pay an amount equal to the amount of the unexpended portion to the Secretary. In making its determination under the preceding sentence, the Commission shall consider all amounts received as contributions to have been expended before any amounts received under this title are expended.

"(2) If the Commission determines that any amount of any payment made to a candidate under section 506 was used for any purpose other than—

"(A) to defray campaign expenditures, or

"(B) to repay loans the proceeds of which were used, or otherwise to restore funds (other than contributions to defray campaign expenditures which were received and expended) which were used, to defray campaign expenditures,

it shall notify the candidate of the amount so used, and the candidate shall pay to the Secretary of the Treasury an amount equal to such amount.

"(3) No payment shall be required from a candidate under this subsection in excess of the total amount of all payments received by the candidate under section 506 in connection with the campaign with respect to which the event occurred which caused the candidate to have to make a payment under this subsection.

"(c) No notification shall be made by the Commission under subsection (b) with respect to a campaign more than eighteen months after the day of the election to which the campaign related.

"(d) All payments received by the Secretary under subsection (b) shall be deposited by him in the fund.

"INFORMATION ON EXPENDITURES AND PROPOSED EXPENDITURES

"SEC. 508. (a) Every candidate shall, from time to time as the Commission requires, furnish to the Commission a detailed statement, in the form the Commission prescribes, of—

"(1) the campaign expenditures incurred by him and his authorized committees prior to the date of the statement (whether or not evidence of campaign expenditures has been furnished for purposes of section 505), and

"(2) the campaign expenditures which he and his authorized committees propose to incur on or after the date of the statement.

"(b) The Commission shall, as soon as possible after it receives a statement under subsection (a), prepare and make available for public inspection and copying a summary of the statement, together with any other data or information which it deems advisable.

"REPORTS TO CONGRESS

"SEC. 509. (a) The Commission shall, as soon as practicable after the close of each calendar year, submit a full report to the Senate and House of Representatives setting forth—

"(1) the expenditures incurred by each candidate, and his authorized committees, who received any payment under section 506 in connection with an election;

"(2) the amounts certified by it under section 505 for payment to that candidate; and

"(3) the amount of payments, if any, required from that candidate under section 507, and the reasons for each payment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

"(b) The Commission is authorized to conduct examinations and audits (in addition to the examinations and audits under sections 505 and 507), to conduct investigations, and to require the keeping and submission of any books, records, or other information necessary to carry out the functions and duties imposed on it by this title.

"PARTICIPATION BY COMMISSION IN JUDICIAL PROCEDURES

"SEC. 510. The Commission may initiate civil proceedings in any district court of the United States to seek recovery of any amounts determined to be payable to the Secretary of the Treasury by a candidate under this title.

"PENALTY FOR VIOLATIONS

"SEC. 511. Violation of any provision of this title is punishable by a fine of not more than $50,000, or imprisonment for not more than five years, or both.

"RELATIONSHIP TO OTHER FEDERAL ELECTION LAWS

"SEC. 512. The Commission shall consult from time to time with the Secretary of the Senate, the Clerk of the House of Representatives, the Federal Communications Commission, and with other Federal officers charged with the administration of laws relating to Federal elections, in order to develop as much consistency and coordination with the administration of those other laws as the provisions of this title permit. The Commission shall use the same or comparable data as that used in the administration of such other election laws whenever possible.".

TITLE II—CHANGES IN CAMPAIGN COMMUNICATIONS LAW AND IN REPORTING AND DISCLOSURE PROVISIONS OF FEDERAL ELECTION CAMPAIGN ACT OF 1971

CAMPAIGN COMMUNICATIONS

SEC. 201. (a) Section 315(a) of the Communications Act of 1934 (47 U.S.C. 315(a)) is amended—

(1) by inserting "(1)" immediately after "(a)";

(2) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively; and

(3) by adding at the end thereof the following new paragraphs:

"(2) The obligation imposed by the first sentence of paragraph (1) upon a licensee with respect to a legally qualified candidate for any elective office (other than the offices of President and Vice President) shall be met by such licensee with respect to such candidate if—

"(A) the licensee makes available to such candidate not less than five minutes of broadcast time without charge;

"(B) the licensee notifies such candidate by certified mail at least fifteen days prior to the election of the availability of such time; and

"(C) such broadcast will cover, in whole or in part, the geographical area in which such election is held.

"(3) No candidate shall be entitled to the use of broadcast facilities pursuant to an offer by a licensee under paragraph (2) unless such candidate notifies the licensee in writing of his acceptance of the offer within forty-eight hours after receipt of the offer.".

(b) Section 315(b) of such Act (47 U.S.C. 315(b)) is amended by striking out "by any person" and inserting "by or on behalf of any person".

(c)(1) Section 315(c) of such Act (47 U.S.C. 315 (c)) is amended to read as follows:

"(c) No station licensee may make any charge for the use of any such station by or on behalf of any legally qualified candidate for nomination for election, or for election, to Federal elective office unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not exceed the limit on expenditures applicable to that candidate under section 504 of the Federal Election Campaign Act of 1971, or under section 614 of title 18, United States Code.".

(2) Section 315(d) of such Act (47 U.S.C. 315(d)) is amended to read as follows:

"(d) If a State by law imposes a limitation upon the amount which a legally qualified candidate for nomination for election, or for election, to public office (other than Federal elective office) within that State may spend in connection with his campaign for such nomination or his campaign for election, then no station licensee may make any charge for the use of such station by or on behalf of such candidate unless such candidate (or a person specifically authorized in writing by him to do so) certifies to such licensee in writing that the payment of such charge will not violate that limitation.".

(d) Section 317 of such Act (47 U.S.C. 317) is amended by—

(1) striking out paragraph (1) of subsection (a) "person: *Provided*, That" and inserting in lieu thereof the following: "person. If such matter is a political advertisement soliciting funds for a candidate or a political committee, there shall be announced at the time of such broadcast a statement that a copy of reports filed by that person with the Federal Election Commission is available from the Federal Election Commission, Washington, D.C., and the licensee shall not make any charge for any part of the costs of making the announcement. The term"; and

(2) redesignating subsection (e) as (f), and by inserting after subsection (d) the following new subsection:

"(e) Each station licensee shall maintain a record of any political advertisement broadcast, together with the identification of the person who caused it to be broadcast, for a period of two years. The record shall be available for public inspection at reasonable hours.".

(e) The Campaign Communications Reform Act is repealed.

CHANGES IN DEFINITIONS FOR REPORTING AND DISCLOSURE

SEC. 202. (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 organization 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) of paragraph (e), and amending subparagraph (3) of such paragraph to read as follows:

"(2) 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—

"(A) the value of services rendered by individuals who volunteer to work without compensation on behalf of a candidate; or

"(B) any payment made or obligation incurred by a corporation or a labor organization which, under the provisions of the last paragraph of section 610 of title 18, United States Code, would not constitute an expenditure by that corporation or labor organization;";

(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 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 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. 203. (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. 204. (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 thereof 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, on the tenth day of December in the year of 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 a 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 immediately before the semicolon a comma and 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 recipient 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. 205. 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) Each 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) A publisher 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) No person who sells space in a newspaper or magazine to a candidate, or to the agent of a candidate, for use in connection with that candidate's campaign, may charge any amount for such space which exceeds the amount charged for comparable use of such space for other purposes.

"(e) Each 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 is filed with the Federal Election Commission and 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. 206. 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 a rule of general applicability which is published in the Federal Register not less than thirty days before its effective date, 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 is consistent with the purposes of this Act, 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.".

ESTABLISHMENT OF FEDERAL ELECTION COMMISSION; CENTRAL CAMPAIGN COMMITTEES; CAMPAIGN DEPOSITORIES

SEC. 207. (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 mem-

bers 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 paragraphs (2)(A) shall be appointed for a term ending one year after 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 three 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 rules or orders of the Commission. However, the Commission shall not delegate the making of rules 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.

"(i) 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, testimony, or comments on legislation, to any office 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 a reasonable period of time and under oath or otherwise as the Commission may determine;

"(2) to administer oaths;

"(3) to require by subpena, 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, 617, and 618 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 subpenas 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 subpena 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 Commission 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, 617, and 618 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, 617, or 618 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 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, as to whether a specific transaction or activity may 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, except that a political committee described in section 301 (d)(2) may be designated as the central campaign committee of more than one candidate for purposes of the general election campaign and if so designated, it shall comply with all reporting and other requirements of law as to each candidate for whom it is so designated as if it were the central campaign committee for that candidate alone. 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, 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 rule, 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, consolidate, and furnish all reports filed with or furnished to it by other political committees 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 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 506 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 the 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 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 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 the 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 in lieu thereof "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 in lieu thereof "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 in lieu thereof "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 in lieu thereof "Commission" and "it", respectively; and

(B) striking out "supervisory officer" where it appears in the third sentence of subsection (a)(1) (as redesignated by section 204(a)(1) of this Act) and in paragraphs (12) and (14) (as redesignated by section 204(d)(2) of this Act) of subsection (b) and inserting in lieu thereof "Commission";

(6) striking out "supervisory officer" each place it appears in section 306 (relating to formal requirements respecting reports and statements) and inserting in lieu thereof "Commission";

(7) striking out "Comptroller General of the United States" and "he" in section 307 (relating to reports on convention financing) and inserting in lieu thereof "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 in lieu thereof "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 in lieu thereof "Commission";

(10) amending section 312(a) (as redesignated by subsection (a) of this section) by—

(A) striking out "him" in paragraph (1) and inserting in lieu thereof "it";

(B) striking out "him" in paragraph (4) and inserting in lieu thereof "it"; and

(C) striking out "he" each place it appears in paragraphs (7) and (9) and inserting in lieu thereof "it";

(11) striking out "supervisory officer" in section 312(b) (as redesignated by subsection (a) of this subsection) and inserting in lieu thereof "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 in lieu thereof "Commission" and striking out "his" in the second sentence of such subsection and inserting in lieu thereof "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 in lieu thereof "Commission";

(B) striking out "he" the first place it appears in the second sentence of such section and inserting in lieu thereof "it"; and

(C) striking out "the Attorney General on behalf of the United States" and inserting in lieu thereof "the Commission".

INDEXING AND PUBLICATION OF REPORTS

SEC. 208. 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. 209. 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) An 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 an interested person. A 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 provision 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. 210. 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.".

CONTRIBUTIONS IN THE NAME OF ANOTHER PERSON

SEC. 211. 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; USE OF FRANKED MAIL; AUTHORIZATION OF APPROPRIATIONS; PENALTIES

SEC. 212. 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 a candidate who has received the nomination of his political 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 expenditures (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 one otherwise required to be disclosed under the provisions of this title, such contribution, amount contributed, or expenditures shall be fully disclosed in accordance with rules promulgated by the Commission. The Commission is authorized to promulgate such rules as may be necessary to carry out the provisions of this section.

"SUSPENSION OF FRANK FOR MASS MAILINGS IMMEDIATELY BEFORE ELECTIONS

"SEC. 318. 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. 319. 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.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 320. There are authorized to be appropriated to the Commission for the purpose of carrying out its functions under this title, title V, 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.

"PENALTY FOR VIOLATIONS

"SEC. 321. (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 $100,000, imprisonment for not more than five years, or both.".

APPLICABLE STATE LAWS

SEC. 213. 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 rules 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)).".

EXPEDITIOUS REVIEW OF CONSTITUTIONAL QUESTIONS

SEC. 214. Title IV of the Federal Election Campaign Act of 1971 is amended by adding at the end thereof the following new section:

"JUDICIAL REVIEW

"SEC. 407. (a) The Federal Election Commission, the national committee of any political party, and individuals eligible to vote for President are authorized to institute such actions, including actions for declaratory judgment or injunctive relief, as may be appropriate to implement or construe any provision of this Act or of chapter 29 of title 18, United States Code. The district court shall immediately certify all questions of constitutionality of this Act or of such chapter to the United States court of appeals for that circuit, which shall hear the matter sitting en banc.

"(b) Notwithstanding any other provision of law or rule, any decision on a matter certified under subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Such appeal must be brought within twenty days of the decision of the court of appeals.

"(c) It shall be the duty of the court of appeals and of the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any question certified under subsection (a)."

TITLE III—CRIMES RELATING TO ELECTIONS AND POLITICAL ACTIVITIES

CHANGES IN DEFINITIONS

SEC. 301. (a) Paragraph (a) of section 591 of title 18, United States Code, is amended by—

(1) inserting "or" before "(4)"; and

(2) striking out ", and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States".

(b) Such section 591 is amended by 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 committee of a political party; and

"(3) any committee, association, or organization engaged in the administration of a separate segregated fund described in section 610;".

(c) Such section 591 is amended by—

(1) inserting in paragraph (e)(1) after "subscription" the following: "(including any assessment, fee, or membership dues)";

(2) striking out in such paragraph "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, 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";

(3) striking out subparagraph (2) of paragraph (e), and amending subparagraph (3) of such paragraph to read as follows:

"(2) funds received by a political committee which are transferred to that committee from another political committee;"; and

(4) redesignating subparagraphs (4) and (5) of paragraph (e) as paragraphs (3) and (4), respectively.

(d) Such section 591 is amended by striking out paragraph (f) and inserting in lieu thereof the following:

"(f) 'expenditure' means—

"(1) a purchase, payment, distribution, loan (except a loan of money by a National or State bank made in accordance with the applicable banking laws and regulations, and in the ordinary course of business), 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) the transfer of funds by a political committee to another political committee; but

"(3) does not include the value of service rendered by individuals who volunteer to work without compensation on behalf of a candidate;".

(e) Such section 591 is amended by striking out "and" at the end of paragraph (g), striking out "States." in paragraph (h) and inserting in lieu thereof "States;", and by adding at the end thereof the following new paragraphs:

"(i) 'political party' means any 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;

"(j) 'State 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 State level, as determined by the Federal Election Commission; and

"(k) 'national committee' means the organization which, by virtue of the bylaws of the political party, is responsible for the day-to-day operation of the political party at the national level as determined by the Federal Election Commission under section 301(k) of the Federal Election Campaign Act of 1971.".

EXPENDITURE OF PERSONAL AND FAMILY FUNDS FOR FEDERAL CAMPAIGNS

SEC. 302. (a)(1) Subsection (a)(1) of section 608 of title 18, United States Code, is amended to read as follows:

"(a)(1) No candidate may make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaigns for nomination for election, and for election, to Federal office in excess in the aggregate during any calendar year, of—

"(A) $50,000, in the case of a candidate for the office of President or Vice President;

"(B) $35,000, in the case of a candidate for the office of Senator; or

"(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).

SEPARATE SEGREGATED FUND MAINTENANCE BY GOVERNMENT CONTRACTORS

SEC. 303. Section 611 of title 18, United States Code, is amended by adding at the end thereof the following new paragraph:

"It is not a violation of the provisions of this section for a corporation or a labor organization to establish, administer, or solicit contributions to a separate segregated fund to be utilized for political purposes by that corporation or labor organization if the establishment and administration of, and solicitation of contributions to, such fund are not a violation of section 610.".

LIMITATIONS ON POLITICAL CONTRIBUTIONS AND EXPENDITURES; EMBEZZLEMENT OR CONVERSION OF CAMPAIGN FUNDS; EARLY DISCLOSURE OF PRESIDENTIAL ELECTION RESULTS; FRAUDULENT MISREPRESENTATION OF CAMPAIGN AUTHORITY

SEC. 304. (a) Chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following new sections:

"§ 614. Limitation on expenditures generally

"(a)(1) No candidate may make expenditures in connection with his campaign for nomination for election, or for election, to Federal office in excess of the amount to which he would be limited under section 504 of the Federal Election Campaign Act of 1971 if he were receiving payments under title V of that Act.

"(2) Expenditures made on behalf of any candidate are, for the purposes of this section, considered to be made by such candidate.

"(3) Expenditures made by or on behalf of any candidate for the office of Vice President of the United States are, for the purposes of this section, considered to be made by the candidate for the office of President of the United States with whom he is running.

"(4) For purposes of this subsection, an expenditure is made on behalf of a candidate, including a Vice Presidential candidate, if it is made by—

"(A) an authorized committee or any other agent of the candidate for the purposes of making any expenditure, or

"(B) any person authorized or requested by the candidate, an authorized committee of the candidate, or an agent of the candidate to make the expenditure.

"(5) The Federal Election Commission shall prescribe regulations under which any expenditure by a candidate for Presidential nomination for use in two or more States shall be attributed to such candidate's expenditure limitation in each such State, based on the voting age population in such State which can reasonably be expected to be influenced by such expenditure.

"(b)(1) Notwithstanding any other provisions of law with respect to limitations on expenditures or limitations on contributions, the national committee of a political party and a State committee of a political party, including any subordinate committees of a State committee, may make expenditures in connection with the general election campaign of candidates for Federal office, subject to the limitations contained in paragraphs (2) and (3) hereof.

"(2) The national committee of a political party may not make any expenditure in connection with the general election campaign of any candidate for President who is affiliated with that party which exceeds an amount equal to 2 cents multiplied by the voting age population of the United States.

"(3) The national committee of a political party, or a State committee of a political party, including any subordinate committees of a State committee, may not make any expenditure in connection with the general election campaign of a candidate for Federal office in a State who is affiliated with that party which exceeds—

"(A) in the case of a candidate for election to the office of Senator, or of Representative from a State where a Representative is required to run statewide, the greater of—

"(i) 2 cents multiplied by the voting age population of that State, or

"(ii) $20,000; and

"(B) in the case of a candidate for election to the office of Representative in any other State, $10,000.

"(4) For purposes of this subsection—

"(A) the term 'voting age population' means voting age population certified for the year under section 504(g) of the Federal Election Campaign Act of 1971; and

"(B) the approval by the national committee of a political party of an expenditure by or on behalf of the presidential candidate of that party as required by section 316 of that Act is not considered an expenditure by that national committee,

"(c)(1) No person may make any expenditure (other than an expenditure made on behalf of a candidate under the provisions of subsection (a)(4)) advocating the election or defeat of a clearly identified candidate during a calendar year which, when added to all other expenditures made by that person during the year advocating the election or defeat of that candidate, exceeds $1,000.

"(2) For purposes of paragraph (1)—

"(A) 'clearly identified' means—

"(i) the candidate's name appears;

"(ii) a photograph or drawing of the candidate appears; or

"(iii) the identity of the candidate is apparent by unambiguous reference;

"(B) 'person' does not include the national or State committee of a political party; and

"(C) 'expenditure' does not include any payment made or incurred by a corporation or a labor organization which, under the provisions of the last paragraph of section 610 would not constitute an expenditure by that corporation or labor organization.

"(3) This subsection does not apply to the Democratic or Republican Senatorial Campaign Committee, the Democratic National Congressional Committee, or the National Republican Congressional Committee.

"(d) Any person who knowingly or willfully violates the provisions of this section, other than subsection (a)(5), shall be punishable by a fine of $25,000, imprisonment for a period of not more than five years, or both. If any candidate is convicted of violating the provisions of this section because of any expenditure made on his behalf (as determined under subsection (a)(4)) by a political committee, the treasurer of that committee, or any other person authorizing such expenditure, shall be punishable by a fine of not to exceed $25,000, imprisonment for not to exceed five years, or both, if such person knew, or had reason to know, that such expenditure was in excess of the limitation applicable to such candidate under this section.

"§ 615. Limitations on contributions

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

"(2) No person (other than an individual) may make a contribution to, or for the benefit of, a candidate for nomination for election, or election, which, when added to the sum of all other contributions made by that person for that campaign, exceeds $6,000.

"(b)(1) No candidate may knowingly accept a contribution for his campaign from any individual which, when added to the sum of all other contributions received from that individual for that campaign, exceeds $3,000, or from any person (other than an individual) which when added, to the sum of all other contributions received from that person for that campaign, exceeds $6,000.

"(2)(A) No candidate may knowingly solicit or accept a contribution for his campaign—

"(i) from a foreign national, or

"(ii) which is made in violation of section 613 of this title.

"(B) For purposes of this paragraph, the term 'foreign national' means—

"(i) a 'foreign principal' as that term is defined in section 611(b) of the Foreign Agents Registration Act of 1938, as amended, other than a person who is a citizen of the United States; or

"(ii) an individual who is not a citizen of the United States and who is not lawfully admitted for permanent residence, as defined in section 101(a)(20) of the Immigration and Nationality Act.

"(3) 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 paragraph (1) or (2).

"(c)(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, the candidate nominated by that party for election to the office of President.

"(3) For purposes of this section, the term 'campaign' includes all primary, primary runoff, and general election campaigns related to a specific general election, and all primary, primary runoff, and special election campaigns related to a specific special election.

"(d)(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.

"(2) Any contribution made for a campaign in a year, other than the calendar year in which the election is held to which that campaign relates, is, for purposes of paragraph (1), considered to be made during the calendar year in which that election is held.

"(e) This section does not apply to contributions made by the Democratic or Republican Senatorial Campaign Committee, the Democratic National Congressional Committee, or the National Republican Congressional Committee.

"(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.

"§ 616. 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 $100 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.

"§617. 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.

"§ 618. 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.

"§ 619. Early disclosure of election results in presidential election years

"Whoever makes public any information with respect to the number of votes cast for any candidate for election to the office of presidential and vice-presidential elector in the general election held for the appointment of presidential electors, prior to midnight, eastern standard time, on the day on which such election is held shall be fined not more than $5,000, imprisoned for not more than one year, or both.

"§ 620. Fraudulent misrepresentation of campaign authority

"Whoever, being a candidate for Federal office or an employee or agent of such a candidate—

"(1) fraudulently misrepresents himself or any committee or organization under his control as speaking or writing or otherwise acting for or on behalf of any other candidate or political party or employee or agent thereof on a matter which is damaging to such other candidate or political party or employee or agent thereof; or

"(2) willfully and knowingly participates in or conspires to participate in any plan, scheme, or design to violate paragraph (1),

shall, for each such offense, be fined not more than $50,000 or imprisoned not more than five 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, 614, 615, 616, 617, 618, 619, and 620".

(c) The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following new items:

"614. Limitation on expenditures generally.
"615. Limitation on contributions.
"616. Form of contributions.
"617. Embezzlement or conversion of political contributions.
"618. Voting fraud.
"619. Early disclosure of election results in presidential election years.
"620. Fraudulent misrepresentation of campaign authority.".

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)".

TITLE IV—DISCLOSURE OF FINANCIAL INTERESTS BY CERTAIN FEDERAL OFFICERS AND EMPLOYEES

FEDERAL EMPLOYEE FINANCIAL DISCLOSURE REQUIREMENTS

SEC. 401. (a) Any candidate for nomination for or election to Federal office 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 of each tax paid by the individual, or by the individual and the individual's spouse filing jointly, for the preceding calendar year, and for purposes of this paragraph "tax" means any Federal, State, or local income tax and any Federal, State, or local property tax;

(2) 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;

(3) 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;

(4) 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;

(5) 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

(6) 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 for nomination for or election to Federal office) shall be filed not later than May 15 of each year. A 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 items 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 an 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 not more than $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 rules 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 is considered to be 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 serves 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 (15 U.S.C. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act (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 persons.

(h) Section 554 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) 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 adjudication 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 thirty days after the date of enactment and shall be filed with the Comptroller General of the United States, who shall, for purposes of this subsection, have the powers and duties conferred upon the Commission by this section.

TITLE V—MISCELLANEOUS

SIMULTANEOUS POLL CLOSING TIME

SEC. 501. On every national election day, commencing on the date of the national elections in 1976, the closing time of the polling places in the several States for the election of electors for President and Vice President of the United States and the election of United States Senators and Representatives shall be as follows: 11 postmeridian standard time in the eastern time zone; 10 postmeridian standard time in the central time zone; 9 postmeridian standard time in the mountain time zone; 8 postmeridian standard time in the Pacific time zone; 7 postmeridian standard time in the Yukon time zone; 6 postmeridian standard time in the Alaska-Hawaii time zone; and 5 postmeridian standard time in the Bering time zone: *Provided*, That the polling places in each of the States shall be open for at least twelve hours.

FEDERAL ELECTION DAY

SEC. 502. Section 6103(a) of title 5, United States Code is amended by inserting between—

"Veterans Day, the fourth Monday in October." and

"Thanksgiving Day, the fourth Thursday in November." the following new item:

"Election Day, the first Wednesday next after the first Monday in November in 1976, and every second year thereafter.".

REVIEW OF INCOME TAX RETURNS

SEC. 503. (a) On or before July 1 of each and every year hereafter, the Comptroller General of the United States shall obtain from the Internal Revenue Service all returns of income filed by each Member of Congress, each employee or official of the executive, judicial, and legislative branch whose gross income for the most recent year exceeds $20,000, for the five previous years. Upon receipt of such returns, the Comptroller General of the United States shall submit such income returns to an intensive inspection and audit for the purpose of determining the correctness with respect to the Member's tax liability.

(b) Upon completion of such inspection and audit, the Comptroller General of the United States shall prepare and file a report of the results of this inspection and audit with the appropriate officer of the Internal Revenue Service for such further action with respect to such return as the Internal Revenue Service shall deem proper. The Comptroller General of the United States shall deliver a copy of such report and results of such audit and inspection to the Member or candidate concerned.

(c) The Internal Revenue Service shall assist the Comptroller General of the United States as necessary in administering the provisions of this section.

MOTION OFFERED BY MR. HAYS

Mr. HAYS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HAYS moves to strike out all after the enacting clause of the bill S. 3044 and to insert in lieu thereof the provisions of the bill H.R. 16090, as passed, as follows:

That this Act may be cited as the "Federal Election Campaign Act Amendments of 1974".

TITLE I—CRIMINAL CODE AMENDMENTS

LIMITATIONS ON CONTRIBUTIONS AND EXPENDITURES

SEC. 101. (a) Section 608 of title 18, United States Code, relating to limitations on contributions and expenditures, is amended by

resdesignating subsections (b) and (c) as subsections (f) and (g), respectively, and by inserting immediately after subsection (a) the following new subsections:

"(b)(1) Except as otherwise provided by paragraphs (2) and (3), no person shall make contributions to any candidate with respect to any election for Federal office which, in the aggregate, exceed $1,000.

"(2) No political committee (other than a principal campaign committee) shall make contributions to any candidate with respect to any election for Federal office which, in the aggregate, exceed $5,000. Contributions by the national committee of a political party serving as the principal campaign committee of a candidate for the office of President of the United States shall not exceed the limitation imposed by the preceding sentence with respect to any other candidate for Federal office. For purposes of this paragraph, the term 'political committee' means an organization registered as a political committee under section 303 of the Federal Election Campaign Act of 1971 for a period of not less than 6 months which has received contributions from more than 50 persons and, except for any State political party organization, has made contributions to 5 or more candidates for Federal office.

"(3) No individual shall make contributions aggregating more than $25,000 in any calendar year.

"(4) For purposes of this subsection—

"(A) contributions to a named candidate made to any political committee authorized by such candidate, in writing, to accept contributions on his behalf shall be considered to be contributions made to such candidate; and

"(B) contributions made to or for the benefit of any candidate nominated by a political party for election to the office of Vice President of the United States shall be considered to be contributions made to or for the benefit of the candidate of such party for election to the office of President of the United States.

"(5) The limitations imposed by paragraphs (1) and (2) of this subsection shall apply separately with respect to each election, except that all elections held in any calendar year for the office of President of the United States (except a general election for such office) shall be considered to be one election.

"(6) For purposes of the limitations imposed by this section, all contributions made by a person, either directly or indirectly, on behalf of a particular candidate, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate, shall be treated as contributions from such person to such candidate. The intermediary or conduit shall report the original source and the intended recipient of such contribution to the appropriate supervisory officer and to the intended recipient.

"(c)(1) No candidate shall make expenditures in excess of—

"(A) $10,000,000, in the case of a candidate for nomination for election to the office of President of the United States;

"(B) $20,000,000, in the case of a candidate for election to the office of President of the United States;

"(C) in the case of any campaign for nomination for election, or for election, by a candidate for the office of Senator, the greater of—

"(i) 5 cents multiplied by the population of the geographical area with respect to which the election is held; or

"(ii) $75,000;

"(D) $60,000, in the case of any campaign for nomination for election, or for election, by a candidate for the office of Representative, Delegate from the District of Columbia, or Resident Commissioner; or

"(E) $15,000, in the case of any campaign for nomination for election, or for election, by a candidate for the office of Delegate from Guam or the Virgin Islands.

"(2) For purposes of this subsection—

"(A) expenditures made by or on behalf of any candidate nominated by a political party for election to the office of Vice President of the United States shall be considered to be expenditures made by or on behalf of the candidate of such party for election to the office of President of the United States;

"(B) expenditures made on behalf of any candidate by a principal campaign committee designated by such candidate under section 302(f)(1) of the Federal Election Campaign Act of 1971 shall be deemed to have been made by such candidate; and

"(C) the population of any geographical area shall be the population according to the most recent decennial census of the United States taken under section 141 of title 13, United States Code.

"(3) The limitations imposed by subparagraphs (C), (D), and (E) of paragraph (1) of this subsection shall apply separately with respect to each election.

"(d)(1) At the beginning of each calendar year (commencing in 1975), as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Comptroller General and publish in the Federal Register the per centum difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. Each limitation established by subsection (c) shall be increased by such per centum difference. Each amount so increased shall be the amount in effect for such calendar year.

"(2) For purposes of paragraph (1)—

"(A) the term 'price index' means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

"(B) the term 'base period' means the calendar year 1973.

"(e)(1) No person may make any expenditure (other than an expenditure made by or on behalf of a candidate under the provisions of subsection (c)) relative to a clearly identified candidate during a calendar year which, when added to all other expenditures made by such person during the year advocating the election or defeat of such candidate, exceeds $1,000.

"(2) For purposes of paragraph (1), the term 'clearly identified' means—

"(A) the candidate's name appears;

"(B) a photograph or drawing of the candidate appears; or

"(C) the identity of the candidate is apparent by unambiguous reference.".

(b) Section 608(a)(1) of title 18, United States Code, relating to limitations on contributions and expenditures, is amended to read as follows:

"(a)(1) No candidate may make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election, or election, to Federal office in excess of $25,000.".

(c)(1) Notwithstanding section 608(a)(1) of title 18, United States Code, relating to limitations on expenditures from personal funds, any individual may satisfy or discharge, out of his personal funds or the personal funds of his immediate family, any debt or obligation which is outstanding on the date of the enactment of this Act and which was incurred by him or on his behalf by any political committee in connection with any campaign ending before the close of December 31, 1972, for election to Federal office.

(2) For purposes of this subsection—

(A) the terms "election", "Federal office", and "political committee" have the meanings given them by section 591 of title 18, United States Code; and

(B) the term "immediate family" has the meaning given it by section 608(a)(2) of title 18, United States Code.

(d)(1) The first paragraph of section 613 of title 18, United States Code, relating to contributions by certain foreign agents, is amended—

(A) by striking out "an agent of a foreign principal" and inserting in lieu thereof "a foreign national"; and

(B) by striking out ", either for or on behalf of such foreign principal or otherwise in his capacity as agent of such foreign principal,".

(2) The second paragraph of such section 613 is amended by striking out "agent of a foreign principal or from such foreign principal" and inserting in lieu thereof "foreign national".

(3) The fourth paragraph of such section 613 is amended to read as follows:

"As used in this section, the term 'foreign national' means—

"(1) a foreign principal, as such term is defined by section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)), except that the term 'foreign national' shall not include any individual who is a citizen of the United States; or

"(2) an individual who is not a citizen of the United States and who is not lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))."

(4)(A) The heading of such section 613 is amended by striking out "agents of foreign principals" and inserting in lieu thereof "foreign nationals".

(B) 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:

"613. Contributions by foreign nationals.".

(e)(1) Section 608(g) of title 18, United States Code (as to redesignated by subsection (a) of this section), relating to penalty for violating limitations on contributions and expenditures, is amended by striking out "$1,000" and inserting in lieu thereof "$25,000".

(2) The second paragraph of section 610 of title 18, United States Code, relating to penalties for violating prohibitions against contributions or expenditures by national banks, corporations, or labor organizations, is amended—

(A) by striking out "$5,000" and inserting in lieu thereof "$25,000"; and

(B) by striking out "$10,000" and inserting in lieu thereof "$50,000".

(3) Section 611 of title 18, United States Code (as amended by section 103 of this Act), relating to contributions by firms or individuals contracting with the United States, is amended in the first paragraph thereof by striking out "$5,000" and inserting in lieu thereof "$25,000".

(4) The third paragraph of section 613 of title 18, United States Code (as amended by subsection (d) of this section), relating to contributions by foreign nationals, is amended by striking out "$5,000" and inserting in lieu thereof "$25,000".

(f)(1) Chapter 29 of title 18, United States Code, relating to elections and political activities, is amended by adding at the end thereof the following new section:

"§ 614. Prohibition of contributions in name of another

"(a) No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

"(b) Any person who violates this section shall be fined not more than $25,000 or imprisoned not more than one year, or both.

"§ 615. Limitation on contributions of currency

"(a) No person shall make contributions of currency of the United States or currency of any foreign country to or for the benefit of any candidate which, in the aggregate, exceed $100, with respect to any campaign of such candidate for nomination for election, or election, to Federal office.

"(b) Any person who violates this section shall be fined not more than $25,000 or imprisoned not more than one year, or both.

"§ 616. Acceptance of excessive honorariums

"Whoever, while an elected or appointed officer or employee of any branch of the Federal Government—

"(1) accepts any honorarium of more than $1,000 (excluding amounts accepted for actual travel and subsistence expenses) for any appearance, speech, or article; or

"(2) accepts honorariums (not prohibited by paragraph (1) of this subsection) aggregating more than $10,000 in any calendar year;

shall be fined not less than $1,000 nor more than $5,000.".

(2) Section 591 of title 18, United States Code, relating to definitions, is amended by striking out the matter preceding paragraph (a) and inserting in lieu thereof the following:

"Except as otherwise specifically provided, when used in this section and in sections 597, 599, 600, 602, 608, 610, 611, 614, and 615 of this title—"

(3) The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following new items:

"614. Prohibition of contributions in name of another.
"615. Limitation on contributions of currency.
"616. Acceptance of excessive honorariums.".

(4) Title III of the Federal Election Campaign Act of 1971 is amended by striking out section 310, relating to prohibition of contributions in the name of another.

DEFINITIONS OF POLITICAL COMMITTEE CONTRIBUTION, EXPENDITURE, AND PRINCIPAL CAMPAIGN COMMITTEE

SEC. 102. (a) Section 591(d) of title 18, United States Code, relating to the definition of political committee, is amended by inserting immediately after "$1,000" the following: ", or which commits any act for the purpose of influencing, directly or indirectly, the nomination for election, or election, of any person to Federal office, except that any communication referred to in paragraph (f)(4) of this section which is not included within the definition of the term 'expenditure' shall not be considered such an act".

(b) Section 591(e)(1) of Title 18, United States Code, relating to the definition of a contribution, is amended by inserting after the word "business" the following ", which shall be considered a loan by each endorser, in that proportion of the unpaid balance thereof that each endorser bears to the total number of endorsers)".

(c) Section 591(e)(5) of title 18, United States Code, relating to an exception to the definition of contribution, is amended by inserting "(A)" immediately after "include" and by inserting immediately before the semicolon at the end thereof the following: ", (B) the use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities, (C) the sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor, (D) any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services to a candidate, or (E) the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, of 3 or more candidates for any public office for which an election is held in the State in which such committee is organized, except that this clause shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in magazines or other similar types of general public political advertsing (other than newspapers): *Provided*, That the cumulative value of activities by any person on behalf of any candidate under each of clauses (B), (C), or (D) shall not exceed $500 with respect to any election".

(d) Section 591(f) of title 18, United States Code, relating to the definition of expenditure, is amended—

(1) in subparagraph (2) thereof, by striking out "and";

(2) in subparagraph (3) thereof, by inserting "and" immediately after the semicolon; and

(3) by adding at the end thereof the following new subparagraph:

"(4) notwithstanding the foregoing meanings of 'expenditure', such term does not include (A) any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate, (B) nonpartisan activity designed to encourage individuals to register to vote or to vote, (C) any communication by any membership organization or corporation to its members or stockholders, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any person to Federal office, (D) the use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities, (E) any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services to a candidate, (F) any communication by any person which is not made for the purpose of influencing the nomination for election, or election, of any person to Federal office, (G) the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, of 3 or more candidates for any public office for which an election is held in the State in which such committee is organized, except that this clause shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in magazines or other similar types of general public political advertising (other than newspapers), (H) any costs incurred by a candidate (including his principal campaign committee) in connection with the solicitation of contributions by such candidate, except that this clause shall not apply with respect to costs incurred by a candidate (including his principal campaign committee) in excess of an amount equal to 25 per centum of the expenditure limitation applicable to such candidate under section 608(c) of this title, or (I) any costs incurred by a political committee (as such term is defined by section 608(b)(2) of this title) with respect to the solicitation of contributions to such political committee or to any general political fund controlled by such political committee, except that this clause shall not apply to exempt costs incurred with respect to the solicitation of contributions to any such political committee made through broadcasting stations, newspapers, magazines, outdoor advertising facilities, and other similar types of general public political advertising: *Provided*, That the cumulative value of activities by any person on behalf of any candidate under each of clauses (D) or (E) shall not exceed $500 with respect to any election;".

(e) Section 591 of title 18, United States Code, relating to definitions, is amended—

(1) by striking out "and" at the end of paragraph (g);

(2) by striking out the period at the end of paragraph (h) and inserting in lieu thereof "; and "; and

(3) by adding at the end thereof the following new paragraph:

"(i) 'principal campaign committee' means the principal campaign committee designated by a candidate under section 302(f)(1) of the Federal Election Campaign Act of 1971.".

POLITICAL FUNDS OF CORPORATIONS OR LABOR ORGANIZATIONS

SEC. 103. Section 611 of title 18, United States Code, relating to contributions by firms or individuals contracting with the United States, is amended by adding at the end thereof the following new paragraphs:

"This section shall not prohibit or make unlawful the establishment or administration of, or the solicitation of contributions to, any separate segregated fund by any corporation or labor organization for the purpose of influencing the nomination for election, or election, of any person to Federal office, unless the provisions of section 610 of this title prohibit or make unlawful the establishment or administration of, or the solicitation of contributions to, such fund.

"For purposes of this section, the term 'labor organization' has the meaning given it by section 610 of this title.".

EFFECT ON STATE LAW

SEC. 104. (a) The provisions of chapter 29 of title 18, United States Code, relating to elections and political activities, supersede and preempt any provision of State law with respect to election to Federal office.

(b) For purposes of this section, the terms "election", "Federal office", and "State" have the meanings given them by section 591 of title 18, United States Code.

TITLE II—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

PRINCIPAL CAMPAIGN COMMITTEE

SEC. 201. Section 302 of the Federal Election Campaign Act of 1971, relating to organization of political committees, is amended by striking out subsection (f) and inserting in lieu thereof the following:

"(f)(1) Each individual who is a candidate for Federal office (other than the office of Vice President of the United States) shall designate a political committee to serve as his principal campaign committee. No political committee may be designated as the principal campaign committee of more than one candidate, except that the candidate for the office of President of the United States nominated by a political party may designate the national committee of such political party as his principal campaign committee.

"(2) Except as otherwise provided in section 608(e) of title 18, United States Code,

no political committee other than a principal campaign committee designated by a candidate under paragraph (1) may make expenditures on behalf of such candidate.

"(3) Notwithstanding any other provision of this title, each report or statement of contributions received by a political committee (other than a principal campaign committee) which is required to be filed with a supervisory officer under this title shall be filed instead with the principal campaign committee for the candidate on whose behalf such contributions are accepted.

"(4) It shall be the duty of each principal campaign committee to receive all reports and statements required to be filed with it under paragraph (3) of this subsection and to compile and file such reports and statements, together with its own reports and statements, with the appropriate supervisory officer in accordance with the provisions of this title.

"(5) For purposes of paragraphs (1) and (3) of this subsection, the term 'political committee' does not include any political committee which supports more than one candidate, except for the national committee of a political party designated by a candidate for the office of President of the United States under paragraph (1) of this subsection.".

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 202. Section 303 of the Federal Election Campaign Act of 1971, relating to registration of political committees and statements, is amended by adding at the end thereof the following new subsection:

"(e) In the case of a political committee which is not a principal campaign committee and which does not support more than one candidate, reports and notifications required under this section to be filed with the supervisory officer shall be filed instead with the appropriate principal campaign committee.".

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 203. (a) Section 304(a) of the Federal Election Campaign Act of 1971, relating to reports by political committees and candidates, is amended—

(1) by striking out the second and third sentence and inserting in lieu thereof the following:

"The reports referred to in the preceding sentence shall be filed as follows:

"(A)(i) In any calendar year in which an individual is a candidate for Federal office and an election for such Federal office is held in such year, such reports shall be filed not later than the tenth day before the date on which such election is held and shall be complete as of the fifteenth day before the date of such election; except that any such report filed by registered or certified mail must be postmarked not later than the close of the twelfth day before the date of such election.

"(ii) Such reports shall be filed not later than the thirtieth day after the date of such election and shall be complete as of the twentieth day after the date of such election.

"(B) In any other calendar year in which an individual is a candidate for Federal office, such reports shall be filed after December 31 of such calendar year, but not later than January 31 of the following calendar year and shall be complete as of the close of the calendar year with respect to which the report is filed.

"(C) Such reports shall be filed not later than the tenth day following the close of any calendar quarter in which the candidate or political committee concerned received contributions in excess of $1,000, or made expenditures in excess of $1,000, and shall be complete as of the close of such calendar quarter; except that any such report required to be filed after December 31 of any calendar year with respect to which a report is required to be filed under subparagraph (B) shall be filed as provided in such subparagraph.

"(D) When the last day for filing any quarterly report required by subparagraph (C) occurs within 10 days of an election, the filing of such quarterly report shall be waived and superseded by the report required by subparagraph (A)(i).

Any contribution of $1,000 or more received after the fifteenth day, but more than 48 hours, before any election shall be reported within 48 hours after its receipt."; and

(2) by striking out "Each" at the beginning of the first sentence of such section 304(a) and inserting in lieu thereof "(1) Except as provided by paragraph (2), each", and by adding at the end thereof the following new paragraph:

"(2) Each treasurer of a political committee which is not a principal campaign committee and which does not support more than one candidate shall file the reports required under this section with the appropriate principal campaign committee.".

(b)(1) Section 304(b)(8) of the Federal Election Campaign Act of 1971, relating to reports by political committees and candidates, is amended by inserting immediately before the semicolon at the end thereof the following: ", together with total receipts less transfers between political committees which support the same candidate and which do not support more than one candidate".

(2) Section 304(b)(11) of the Federal Election Campaign Act of 1971, relating to reports by political committees and candidates, is amended by inserting immediately before the semicolon at the end thereof the following: ", together with total expenditures less transfers between political committees which support the same candidate and which do not support more than one candidate".

FORMAL REQUIREMENTS FOR REPORTS AND STATEMENTS

SEC. 204. Section 306 of the Federal Election Campaign Act of 1971, relating to formal requirements respecting reports and statements, is amended by adding at the end thereof the following new subsection:

"(e) If a report or statement required by section 303, 304(a)(1)(A)(ii), 304(a)(1)(B), or 304(a)(1)(C) of this title to be filed by a treasurer of a political committee or by a candidate, or if a report required by section 305 of this title to be filed by any other person, is delivered by registered or certified mail, to the appropriate supervisory officer or principal campaign committee with whom it is required to be filed, the United States postmark stamped on the cover of the envelope or other container in which such report or statement is so mailed shall be deemed to be the date of filing.".

DUTIES OF THE SUPERVISORY OFFICER

SEC. 205. (a)(1) Section 308(a) of the Federal Election Campaign Act of 1971, relating to duties of the supervisory officer, is amended by striking out paragraphs (6), (7), (8), (9), and (10), and by redesignating paragraphs (11), (12), and (13) as paragraphs (8), (9), and (10), respectively, and by inserting immediately after paragraph (5) the following new paragraphs:

"(6) to compile and maintain a cumulative index of reports and statements filed with him, which shall be published in the Federal Register at regular intervals and which shall be available for purchase directly or by mail for a reasonable price;

"(7) to prepare and publish from time to time special reports listing those candidates for whom reports were filed as required by this title and those candidates for whom such reports were not filed as so required;".

(2) Notwithstanding section 308(a)(7) of the Federal Election Campaign Act of 1971 (relating to an annual report by the supervisory officer), as in effect on the day before the effective date of the amendments made by paragraph (1) of this subsection, no such annual report shall be required with respect to any calendar year beginning after December 31, 1972.

(b)(1) Section 308(a)(10) of the Federal Election Campaign Act of 1971 (as so redesignated by subsection (a) of this section), relating to the prescription of rules and regulations, is amended by inserting before the period at the end thereof the following: ", in accordance with the provisions of subsection (b) and (c)"

(2) Section 308 of such Act, relating to duties of the supervisory officer, is amended—

(A) by striking out subsection (b) and (c); and

(B) by inserting immediately after subsection (a) the following new subsection (b) and (c)

"(b)(1) The supervisory officer, before prescribing any rule or regulation under this section, shall transmit a statement with respect to such rule or regulation to the Senate or the House of Representatives, as the case may be, in accordance with the provisions of this subsection. Such statement shall set forth the proposed rule or regulation and shall contain a detailed explanation and justification of such rule or regulation.

"(2) If the appropriate body of the Congress which receives a statement from the supervisory officer under this subsection does not, through appropriate action, disapprove the proposed rule or regulation set forth in such statement no later than 30 legislative days after receipt of such statement, then the supervisory officer may prescribe such rule or regulation. In the case of any rule or regulation proposed to deal with reports or statements required to be filed under this title by a candidate for the office of President, and by political committees supporting such a candidate both the Senate and the House of Representatives shall have the power to disapprove such proposed rule or regulation. The supervisory officer may not prescribe any rule or regulation which is disapproved under this paragraph.

"(3) If the supervisory officer proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this title by a candidate for the office of Senator and by political committees supporting such candidate he shall transmit such statement to the Senate. If the supervisory officer proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this title by a candidate for the office of Representative or by political committees supporting such candidate, he shall transmit such statement to the House of Representatives. If the supervisory officer proposes to prescribe any rule or regulation dealing with reports or statements required to be filed under this title by a candidate for the office of President and by political committees supporting such candidate he shall transmit such statement to the House of Representatives and the Senate.

"(4) For the purposes of this subsection, the term 'legislative days' does not include, with respect to statements transmitted to the Senate, any calendar day on which the Senate is not in session, and with respect to statements transmitted to the House of Representatives, any calendar day on which the House of Representatives is not in session and with respect to statements transmitted to both such bodies any calendar day on

which both Houses of the Congress are not in session.".

(c)(1) The supervisory officer shall prescribe suitable rules and regulations to carry out the provisions of this title, including such rules and regulations as may be necessary to require that—

"(A) reports and statements required to be filed under this title by a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, and by political committees supporting such candidate, shall be received by the Clerk of the House of Representatives as custodian for the Board:

"(B) reports and statements required to be filed under this title by a candidate for the Office of Senator, and by political committees supporting such candidate, shall be received by the Secretary of the Senate as csutodian for the Board; and

"(C) the Clerk of the House of Representatives, and the Secretary of the Senate, as custodians for the Board, each shall make the reports and statements received by him available for public inspection and copying in accordance with paragraph (4) of subsection a, and preserve such reports and statements in accordance with paragraph (5) of subsection (a).".

(2) It shall be the duty of the Clerk of the House of Representatives and the Secretary of the Senate to cooperate with the Board of Supervisory Officers in carrying out its duties under the Federal Election Campaign Act of 1971 and to furnish such services and facilities as may be required in accordance with this section.

DEFINITIONS OF POLITICAL COMMITTEE, CONTRIBUTION, EXPENDITURE, AND SUPERVISORY OFFICER

SEC. 206. (a)(1) Section 301 of the Federal Election Campaign Act of 1971, relating to definitions, is amended by striking out the matter preceding paragraph (a) and inserting in lieu thereof the following:

"SEC. 301. When used in this title and in title IV of this Act—".

(2) Section 401 of the Federal Election Campaign Act of 1971, relating to extension of credit by regulated industries, is amended by striking out "(as such term is defined in section 301(c) of the Federal Election Campaign Act of 1971)".

(3) Section 402 of the Federal Election Campaign Act of 1971, relating to prohibition against use of certain Federal funds for election activities, is amended by striking out the last sentence.

(b) Section 301(d) of the Federal Election Campaign Act of 1971, relating to the definition of political committee, is amended by inserting immediately after "$1,000" the following: ", or which commits any act for the purpose of influencing, directly or indirectly, the nomination for election, or election of any person to Federal office, except that any communication referred to in section 301(f)(4) of this Act which is not included within the definition of the term 'expenditure' shall not be considered such an act".

(c) Section 301(e)(5) of the Federal Election Campaign Act of 1971, relating to an exception to the definition of contribution, is amended by inserting "(A)" immediately after "include" and by inserting immediately before the semicolon at the end thereof the following: ", (B) the use of real or personal property and the cost invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities, (C) the sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor, (D) any unreimbursed purchase or other payment by an individual for travel expenses with respect to the rendering of voluntary personal services by such individual to any candidate or political committee, or (E) the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, of 3 or more candidates for any public office for which an election is held in the State in which such committee is organized, except that this clause shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in magazines or other similar types of general public political advertising (other than newspapers): *Provided*, That the cumulative value of activities by any person on behalf of any candidate under each of clauses (B), (C), or (D) shall not exceed $500 with respect to any election".

(d) Section 301(f) of the Federal Election Campaign Act of 1971, relating to the definition of expenditure, is amended—

(1) in subparagraph (2) thereof, by striking out "and";

(2) in subparagraph (3) thereof, by inserting "and" immediately after the semicolon; and

(3) by adding at the end thereof the following new subparagraph:

"(4) notwithstanding the foregoing meanings of 'expenditure', such term does not include (A) any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate, (B) nonpartisan activity designed to encourage individuals to register to vote or to vote, (C) any communication by any membership organization or corporation to its members or stockholders, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any person to Federal office, (D) the use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services on the individual's residential premises for candidate-related activities, (E) any unreimbursed purchase or other payment by any individual for travel expenses with respect to the rendering of voluntary services by such individual to any candidate or political committee, (F) any communication by any person which is not made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or (G) the payment by a State or local committee of a political party of the costs of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing, of three or more candidates for any public office for which an election is held in the State in which such committee is organized, except that this clause shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in magazines or other similar types of general public political advertising (other than newspapers): *Provided*, That the cumulative value of activities by any person on behalf of any candidate under each of clauses (D) or (E) shall not exceed $500 with respect to any election;".

(e) Section 301(g) of the Federal Election Campaign Act of 1971, relating to the definition of supervisory officer, is amended to read as follows:

"(g) 'supervisory officer' means the Board of Supervisory Officers established by section 308(a)(1).".

(f) Section 301 of the Federal Election Campaign Act of 1971, relating to definitions, is amended—

(1) by striking out "and" at the end of paragraph (h);

(2) by striking out the period at the end of paragraph (i) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new paragraphs:

"(j) 'principal campaign committee' means the principal campaign committee designated by a candidate under section 302(f)(1); and

"(k) 'Board means the Board of Supervisory Officers established by section 308(a)(1).".

BOARD OF SUPERVISORY OFFICERS

SEC. 207. (a) Title III of the Federal Election Campaign Act of 1971, relating to disclosure of Federal campaign funds, is amended by redesignating section 311 as section 314; by redesignating sections 308 and 309 as sections 311 and 312, respectively; and by inserting immediately after section 307 the following new sections:

"BOARD OF SUPERVISORY OFFICERS

"SEC. 308. (a)(1) There is hereby established the Board of Supervisory Officers, which shall be composed of the Clerk of the House and the Secretary of the Senate who shall serve without the right to vote and 4 members as follows:

"(A) two individuals appointed by the President of the Senate, upon the recommendations of the majority leader of the Senate and the minority leader of the Senate; and

"(B) two individuals appointed 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.

Of each class of two members appointed under subparagraphs (A) and (B), not more than one shall be appointed from the same political party. 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 for the member he succeeds. Any vacancy occurring in the membership of the Board shall be filled in the same manner as in the case of the original appointment. Members of the Board appointed under subparagraphs (A) and (B)—

'(i) shall be chosen from among individuals who are not officers or employees in the executive, legislative, or judicial branch of the Government of the United States (including elected and appointed officials);

"(ii) shall be chosen on the basis of their maturity, experience, integrity, impartiality, and good judgment;

"(iii) shall serve for terms of 4 years, except that, of the members first appointed under subparagraph (A), one shall be appointed for a term of 1 year and one shall be appointed for a term of 3 years and, of the members first appointed under subparagraph (B), one shall be appointed for a term of 2 years; and

"(iv) shall receive compensation equivalent to the compensation paid at level IV of the Federal Executive Salary Schedule (5 U.S.C. 5315).

"(2) Notwithstanding any other provision of law, it shall be the duty of the Board to supervise the administration of, seek to obtain compliance with, and formulate overall policy with respect to, this title, title I of this Act, and sections 608, 610, 611, 613,

614, 615, and 616 of title 18, United States Code.

"(b) Members of the Board shall alternate in serving as Chairman of the Board. The term of each Chairman shall be one year.

"(c) All decisions of the Board with respect to the exercise of its duties and powers under the provisions of this title shall be made by majority vote of the members of the Board. A member of the Board may not delegate to any person his vote or any decisionmaking authority or duty vested in the Board by the provisions of this title.

"(d) The Board shall meet at the call of any member of the Board, except that it shall meet at least once each month.

"(e) The Board shall prepare written rules for the conduct of its activities.

"(f)(1) The Board shall have a Staff Director and a General Counsel who shall be appointed by the Board. The Staff Director shall be paid at a rate not to exceed the rate of basic pay in effect for level IV of the Executive Schedule (5 U.S.C. 5315). The General Counsel shall be paid at a rate not to exceed the rate of basic pay in effect for level V of the Executive Schedule (5 U.S.C. 5316). With the approval of the Board, the Staff Director may appoint and fix the pay of such additional personnel as he considers desirable. Not less than 30 per centum of the additional personnel appointed by the Staff Director shall be selected as follows:

"(A) one-half from among individuals recommended by the minority leader of the Senate; and

"(B) one-half from among individuals recommended by the minority leader of the House of Representatives.

"(2) With the approval of the Board, the Staff Director may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for grade GS–15 of the General Schedule (5 U.S.C. 5332).

"POWERS OF THE BOARD

"SEC. 409. (a) The Board shall have the power—

"(1) to formulate general policy with respect to the administration of this title, title I of this Act, and sections 608, 610, 611, 613, 614, 615, and 616 of title 18, United States Code;

"(2) to oversee the development of prescribed forms under section 311(a)(1);

"(3) to review rules and regulations prescribed under section 104 of this Act or under this title to assure their consistency with the law and to assure that such rules and regulations are uniform, to the extent practicable;

"(4) to render advisory opinions under section 313;

"(5) to expeditiously conduct investigations and hearings, to encourage voluntary compliance, and to report apparent violations to the appropriate law enforcement authorities;

"(6) to administer oaths or affirmations;

"(7) to require by subpena, signed by the Chairman, the attendance and testimony of witnesses and the production of documentary evidence relevant ot any investigation or hearing conducted by the Board under section 311(c); and

"(8) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

"(b) Any district court of the United States, within the jurisdiction of which any inquiry is carried on, may, upon petition by the Board, in case of refusal to obey a subpena of the Board issued under subsection (a)(7), issue an order requiring compliance with such subpena. Any failure to obey the order of such district court may be punished by such district court as a contempt thereof.

"REPORTS

"SEC. 310. The Board shall transmit reports to the President of the United States and to each House of the Congress no later than March 31 of each year. Each such report shall contain a detailed statement with respect to the activities of the Board in carrying out its duties under this title, together with recommendations for such legislative or other action as the Board considers appropriate.".

(b)(1) Section 311(c)(1) of such Act (as so redesignated by subsection (a)(1) of this section and by section 205(b)(2) of this Act), relating to duties of the supervisory officer, is amended to read as follows:

"(c)(1)(A) Any person who believes a violation of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code, has occurred may file a complaint with the Board.

"(B) The Clerk of the House of Representatives, the Secretary of the Senate, or any other person receiving reports and statements as custodian for the Board who has reason to believe a violation of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code, has occurred shall refer such apparent violation to the Board.

"(C) The Board, upon receiving any complaint under subparagraph (A) or referral under subparagraph (B), or if it has reason to believe that any person has committed a violation of any such provision, shall notify the person involved of such apparent violation and shall—

"(i) report such apparent violation to the Attorney General; or

"(ii) make an investigation of such apparent violation.

"(D) Any investigation under subparagraph (C)(ii) shall be conducted expeditiously and shall include an investigation of reports and statements filed by any complainant with respect to the apparent violation involved, if such complainant is a candidate. Any notification or investigation made under subparagraph (C) shall not be made public by the Board or by any other person without the written consent of the person receiving such notification or the person with respect to whom such investigation is made.

"(E) The Board shall, at the request of any person who receives notice of an apparent violation under subparagraph (C), conduct a hearing with respect to such apparent violation.

"(F) If the Board shall determine, after any investigation under subparagraph (C)(ii), that there is reason to believe that there has been an apparent violation of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code, the Board shall endeavor to correct any such apparent violation by informal methods of conference, conciliation, and persuasion.

"(G) The Board shall refer apparent violations to the appropriate law enforcement authorities if the Board is unable to correct such apparent violations, or if the Board determines that any such referral is appropriate.

"(H) Whenever in the judgment of the Board, after affording due notice and an opportunity for a hearing, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code, the Attorney General on behalf of the United States shall institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the district court of the United States for the district in which the person is found, resides, or transacts business. Upon a proper showing that such person has engaged or is about to engage in such acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court.".

(2) Section 311 of such Act (as so redesignated by subsection (a)(1) of this section), relating to the duties of the supervisory officer, is amended by adding at the end thereof the following new subsection:

"(d) In any case in which the Board refers an apparent violation to the Attorney General, the Attorney General shall respond by report to the Board with respect to any action taken by the Attorney General regarding such apparent violation. Each such report shall be transmitted no later than 60 days after the date the Board refers any apparent violation, and at the close of every 30-day period thereafter until there is final disposition of such apparent violation. The Board may from time to time prepare and publish reports on the status of such referrals.".

(3) The heading of section 311 of such Act (as so redesignated by subsection (a)(1) of this section) is amended to read as follows:

"DUTIES OF THE SUPERVISORY OFFICER; INVESTIGATIONS BY THE BOARD".

(c) Title III of the Federal Election Campaign Act of 1971, relating to disclosure of Federal campaign funds, is amended by adding at the end thereof the following new sections:

"JUDICIAL REVIEW

"SEC. 315. (a) The Board, the supervisory officers, the national committee of any political party, and any individual eligible to vote in any election for the office of President of the United States are authorized to institute such actions in the appropriate district court of the United States, including actions for declaratory judgment or injunctive relief, as may be appropriate to implement or construe any provision of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code. The district court immediately shall certify all questions of constitutionality of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code, to the United States court of appeals for the circuit involved, which shall hear the matter sitting en banc.

"(b) Notwithstanding any other provision of law, any decision on a matter certified under subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Such appeal shall be brought no later than 20 days after the decision of the court of appeals.

"(c) It shall be the duty of the court of appeals and of the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter certified under subsection (a).

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 316. Notwithstanding any other provision of law, there are authorized to be appropriated to the Board such sums as may be necessary to enable it to carry out its duties under this Act.".

ADVISORY OPINIONS

SEC. 208. Title III of the Federal Election Campaign Act of 1971, relating to disclosure of Federal campaign funds, is amended by inserting immediately after section 312 (as so redesignated by section 207(a)(1) of this Act), the following new section:

"ADVISORY OPINIONS

"SEC. 313. (a) Upon written request to the Board by any individual holding Federal office, any candidate for Federal office, or any political committee, the Board shall render an advisory opinion, in writing, within a reasonable time with respect to whether any

specific transaction or activity by such individual, candidate, or political committee would constitute a violation of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code.

"(b) Notwithstanding any other provision of law, any person with respect to whom an advisory opinion is rendered under subsection (a) who acts in good faith in accordance with the provisions and findings of such advisory opinion shall be presumed to be in compliance with the provision of this title, title I of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code, with respect to which such advisory opinion is rendered.

"(c) Any request made under subsection (a) shall be made public by the Board. The Board shall, before rendering an advisory opinion with respect to such request, provide any interested party with an opportunity to transmit written comments to the Board with rspect to such request.".

TITLE III—GENERAL PROVISIONS

EFFECT ON STATE LAW

SEC. 301. Section 403 of the Federal Election Campaign Act of 1971, relating to effect on State law, is amended to read as follows:

"EFFECT ON STATE LAW

"SEC. 403. The provisions of this Act, and of rules prescribed under this Act, supersede and preempt any provision of State law with respect to election to Federal office.".

PERIOD OF LIMITATIONS; ENFORCEMENT

SEC. 302. Title IV of the Federal Election Campaign Act of 1971, relating to general provisions, is amended by redesignating section 406 as section 408 and by inserting immediately after section 405 the following new sections:

"PERIOD OF LIMITATIONS

"SEC. 406. (a) No person shall be prosecuted, tried, or punished for any violation of title I of this Act, title III of this Act, or section 608, 610, 611, 613, 614, 615, or 616 of title 18, United States Code, unless the indictment is found or the information is instituted within 3 years after the date of the violation.

"(b) Notwithstanding any other provision of law—

"(1) the period of limitation referred to in subsection (a) shall apply with respect to violations referred to in such subsection committed before, on, or after the effective date of this section; and

"(2) no person shall be prosecuted, tried, or punished for any act or omission which was a violation of any provision of title I of this Act, title III of this Act, or section 608, 610, 611, or 613 of title 18, United States Code, as in effect on the day before the effective date of the Federal Election Campaign Act Amendments of 1974, if such act or omission does not constitute a violation of any such provision, as amended by the Federal Election Campaign Act Amendments of 1974. Nothing in this subsection shall affect any proceeding pending in any court of the United States on the effective date of this section.

"ENFORCEMENT

"SEC. 407. (a) In any case in which the Board of Supervisory Officers, after notice and opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code, makes a finding that a person who, while a candidate for Federal office, failed to file a report required by title III of this Act, and such finding is made before the expiration of the time within which the failure to file such report may be prosecuted as a violation of such title III, such person shall be disqualified from becoming a candidate in any future election for Federal office for a period of time beginning on the date of such finding and ending one year after the expiration of the term of the Federal office for which such person was a candidate.

"(b) Any finding by the Board under subsection (a) shall be subject to judicial review in accordance with the provisions of chapter 7 of title 5, United States Code.".

TITLE IV—AMENDMENTS TO OTHER LAWS; EFFECTIVE DATES

POLITICAL ACTIVITIES BY STATE AND LOCAL OFFICERS AND EMPLOYEES

SEC. 401. (a) Section 1502(a)(3) of title 5, United States Code (relating to influencing elections, taking part in political campaigns, prohibitions, exceptions), is amended to read as follows:

"(3) be a candidate for elective office.".

(b)(1) Section 1503 of title 5, United States Code, relating to nonpartisan political activity, is amended to read as follows:

"§ 1503. Nonpartisan candidacies permitted

"Section 1502(a)(3) of this title does not prohibit any State or local officer or employee from being a candidate in any election if none of the candidates is to be nominated or elected at such election as representing a party any of whose candidates for Presidential elector received votes in the last preceding election at which Presidential electors were selected.".

(2) The table of sections for chapter 15 of title 5, United States Code, is amended by striking out the item relating to section 1503 and inserting in lieu thereof the following new item:

"1503. Nonpartisan candidacies permitted.".

(c) Section 1501 of title 5, United States Code, relating to definitions, is amended—

(1) by striking out paragraph (5);

(2) in paragraph (3) thereof, by inserting "and" immediately after "Federal Reserve System;" and

(3) in paragraph (4) thereof, by striking out "; and" and inserting in lieu thereof a period.

REPEAL OF COMMUNICATIONS MEDIA EXPENDITURE LIMITATIONS

SEC. 402. (a)(1) Title I of the Federal Election Campaign Act of 1971, relating to campaign communications, is amended by striking out section 104 and by redesignating sections 105 and 106 as sections 104 and 105, respectively.

(2) Section 104 of such Act (as so redesignated by paragraph (1) of this subsection), relating to regulations, is amended by striking out ", 103(b), 104(a), and 104(b)" and inserting in lieu thereof "and 103(b)".

(b) Section 102 of the Federal Election Campaign Act of 1971, relating to definitions, is amended by striking out paragraphs (1), (2), (5), and (6), and by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively.

(c)(1) Section 315 of the Communications Act of 1934 (relating to candidates for public office, facilities, rules) is amended by striking out subsections (c), (d), and (e), and by redesignating subsections (f) and (g) as subsections (c) and (d), respectively.

(2) Section 315(c) of such Act (as so redesignated by paragraph (1) of this subsection), relating to definitions, is amended to read as follows:

"(c) For purposes of this section—

"(1) the term 'broadcasting station' includes a community antenna television system; and

"(2) the terms 'licensee' and 'station licensee' when used with respect to a community antenna television system, mean the operator of such system.".

APPROPRIATIONS TO CAMPAIGN FUND

SEC. 403. Section 9006(a) of the Internal Revenue Code of 1954 (relating to establishment of campaign fund) is amended—

(1) by striking out "as provided by appropriation Acts" and inserting in lieu thereof "from time to time"; and

(2) by adding at the end thereof the following new sentence: "There is appropriated to the fund for each fiscal year, out of amounts in the general fund of the Treasury not otherwise appropriated, an amount equal to the amounts so designated during each fiscal year, which shall remain available to the fund without fiscal year limitation.".

ENTITLEMENTS OF ELIGIBLE CANDIDATES TO PAYMENTS FROM PRESIDENTIAL ELECTION CAMPAIGN FUND

SEC. 404. (a) Subsection (a)(1) of section 9004 of the Internal Revenue Code of 1954 (relating to entitlement of eligible candidates to payments) is amended to read as follows:

"(1) The eligible candidates of each major party in a presidential election shall be entitled to equal payments under section 9006 in an amount which, in the aggregate, shall not exceed $20,000,000."

(b)(1) Subsection (a)(2)(A) of section 9004 of such Code (relating to entitlement of eligible candidates to payments) is amended by striking out "computed" and inserting in lieu thereof "allowed".

(2) The first sentence of subsection (a)(3) of section 9004 of such Code (relating to entitlement of eligible candidates to payments) is amended by striking out "computed" and inserting in lieu thereof "allowed".

(c)(1) Section 9002(1) of the Internal Revenue Code of 1954 (relating to the definition of "authorized committee") is amended to read as follows:

"(1) The term 'authorized committee' means, with respect to the candidates of a political party for President and Vice President of the United States, the political committee designated under section 302(f)(1) of the Federal Election Campaign Act of 1971 by the candidate of a political party for President of the United States as his principal campaign committee.".

(2) Section 9002(11) of such Code (relating to the definition of "qualified campaign expense") is amended—

(A) in subparagraph (A)(iii) thereof, by striking out "an" and inserting in lieu thereof "the";

(B) in the second sentence thereof, by striking out "an" and inserting in lieu thereof "his"; and

(C) in the third sentence thereof, by striking out "an" and inserting in lieu thereof "the".

(3) Section 9003(b) of such Code (relating to major parties) is amended—

(A) by striking out "committees" each place it appears therein and inserting in lieu thereof at each such place "committee"; and

(B) by striking out "any of" each place it appears therein.

(4) Section 9003(c) of such Code (relating to minor and new parties) is amended by striking out "committees" each place it appears therein and inserting in lieu thereof at each such place "committee".

(5) Section 9004(b) of such Code (relating to limitations) is amended by striking out "committees" each place it appears therein and inserting in lieu thereof at each such place "committee".

(6) Section 9004(c) of such Code (relating to restrictions) is amended by striking out "committees" each place it appears therein and inserting in lieu thereof at each such place "committee".

(7) Section 9007(b)(2) of such Code (relating to repayments) is amended by striking out "committees" and inserting in lieu thereof "committee".

(8) Section 9007(b)(3) of such Code (relating to repayments) is amended by striking out "any" and inserting in lieu thereof "the".

(9) Subsections (a) and (b) of section 9012 of such Code (relating to excess expenses and contributions, respectively), as amended by sections 406(b)(2) and (3) of this Act, are each amended by striking out "any of his authorized committees" each place it appears and inserting in lieu thereof

at each such place "his authorized committee".

CERTIFICATION FOR PAYMENT BY COMPTROLLER GENERAL

SEC. 405. (a) Section 9005(a) of the Internal Revenue Code of 1954 (relating to initial certifications for eligibility for payments) is amended to read as follows:

"(a) INITIAL CERTIFICATION.—Not later than 10 days after the candidates of a political party for President and Vice President of the United States have met all applicable conditions for eligibility to receive payments under this chapter set forth in section 9003, the Comptroller General shall certify to the Secretary for payment to such eligible candidates under section 9006 payment in full of amounts to which such candidates are entitled under section 9004.".

(b) Section 9003(a) of such Code (relating to general conditions for eligibility for payments) is amended—

(1) by striking out "with respect to which payment is sought" in paragraph (1) and inserting in lieu thereof "of such candidates";

(2) by inserting "and" at the end of paragraph (2);

(3) by striking out ", and" at the end of paragraph (3) and inserting in lieu thereof a period; and

(4) by striking out paragraph (4).

FINANCING OF PRESIDENTIAL NOMINATING CONVENTIONS

SEC. 406. (a) Chapter 95 of subtitle H of the Internal Revenue Code of 1954 (relating to the presidential election campaign fund) is amended by striking out section 9008 (relating to information on proposed expenses) and inserting in lieu thereof the following new section:

"Sec. 9008. Payments for Presidential nominating conventions.

"(a) ESTABLISHMENT OF ACCOUNTS.—The Secretary shall maintain in the fund, in addition to any account which he maintains under section 9006(a), a separate account for the national committee of each major party and minor party. The Secretary shall deposit in each such account an amount equal to the amount which each such committee may receive under subsection (b). Such deposits shall be drawn from amounts designated by individuals under section 6096 and shall be made before any transfer is made to any account for any eligible candidate under section 9006(a).

"(b) ENTITLEMENT TO PAYMENTS FROM THE FUND.—

"(1) MAJOR PARTIES.—Subject to the provisions of this section, the national committee of a major party shall be entitled to payments under paragraph (3), with respect to any presidential nominating convention, in amounts which, in the aggregate, shall not exceed $2,000,000.

"(2) MINOR PARTIES.—Subject to the provisions of this section, the national committee of a minor party shall be entitled to payments under paragraph (3), with respect to any presidential nominating convention, in amounts which, in the aggregate, shall not exceed an amount which bears the same ratio to the amount the national committee of a major party is entitled to receive under paragraph (1) as the number of popular votes received by the candidate for President of the minor party, as such candidate, in the preceding presidential election bears to the average number of popular votes received by the candidates for President of the major parties in the preceding presidential election.

"(3) PAYMENTS.—Upon receipt of certification from the Comptroller General under subsection (g), the Secretary shall make payments from the appropriate account maintained under subsection (a) to the national committee of a major party or minor party which elects to receive its entitlement under this subsection. Such payments shall be available for use by such committee in accordance with the provisions of subsection (c).

"(4) LIMITATION.—Payments to the national committee of a major party or minor party under this subsection from the account designated for such committee shall be limited to the amounts in such account at the time of payment.

"(c) USE OF FUNDS.—No part of any payment made under subsection (b) shall be used to defray the expenses of any candidate or delegate who is participating in any presidential nominating convention. Such payments shall be used only—

"(1) to defray expenses incurred with respect to a presidential nominating convention (including the payment of deposits) by or on behalf of the national committee receiving such payments; or

"(2) to repay loans the proceeds of which were used to defray such expenses, or otherwise to restore funds (other than contributions to defray such expenses received by such committee) used to defray such expenses.

"(d) LIMITATION OF EXPENDITURES.—

"(1) MAJOR PARTIES.—Except as provided by paragraph (3), the national committee of a major party may not make expenditures with respect to a presidential nominating convention which, in the aggregate, exceed the amount of payments to which such committee is entitled under subsection (b)(1).

"(2) MINOR PARTIES.—Except as provided by paragraph (3), the national committee of a minor party may not make expenditures with respect to a presidential nominating convention which, in the aggregate, exceed the amount of the entitlement of the national committee of a major party under subsection (b)(1).

"(3) EXCEPTION.—The Presidential Election Campaign Fund Advisory Board may authorize the national committee of a major party or minor party to make expenditures which, in the aggregate, exceed the limitation established by paragraph (1) or paragraph (2) of this subsection. Such authorization shall be based upon a determination by such Board that, due to extraordinary and unforseen circumstances, such expenditures are necessary to assure the effective operation of the presidential nominating convention by such committee.

"(e) AVAILABILITY OF PAYMENTS.—The national committee of a major party or minor party may receive payments under subsection (b)(3) beginning on July 1 of the calendar year immediately preceding the calendar year in which a presidential nominating convention of the political party involved is held.

"(f) TRANSFER TO THE FUND.—If, after the close of a presidential nominating convention and after the national committee of the political party involved has been paid the amount which it is entitled to receive under this section, there are moneys remaining in the account of such national committee, the Secretary shall transfer the moneys so remaining to the fund.

"(g) CERTIFICATION BY COMPTROLLER GENERAL.—Any major party or minor party may file a statement with the Comptroller General in such form and manner and at such times as he may require, designating the national committee of such party. Such statement shall include the information required by section 303(b) of the Federal Election Campaign Act of 1971, together with such additional information as the Comptroller General may require. Upon receipt of a statement filed under the preceding sentences, the Comptroller General promptly shall verify such statement according to such procedures and criteria as he may establish and shall certify to the Secretary for payment in full to any such committee of amounts to which such committee may be entitled under subsection (b). Such certifications shall be subject to an examination and audit which the Comptroller General shall conduct no later than December 31 of the calendar year in which the presidential nominating convention involved is held.

"(h) REPAYMENTS.—The Comptroller General shall have the same authority to require repayments from the national committee of a major party or minor party as he has with respect to repayments from any eligible candidate under section 9007(b). The provisions of section 9007(c) and section 9007(d) shall apply with respect to any repayment required by the Comptroller General under this subsection.".

(b)(1) Section 9009(a) of such Code (relating to reports) is amended by striking out "and" in paragraph (2) thereof; by striking out the period at the end of paragraph (3) thereof and inserting in lieu thereof "; and"; and by adding at the end thereof the following new paragraphs:

"(4) the expenses incurred by the national committee of a major party or minor party with respect to a presidential nominating convention;

"(5) the amounts certified by him under section 9008(g) for payment to each such committee; and

"(6) the amount of payments, if any, required from such committees under section 9008(h), and the reasons for each such payment.".

(2) The heading for section 9012(a) of such Code (relating to excess expenses) is amended by striking out "CAMPAIGN".

(3) Section 9012(a)(1) of such Code (relating to excess expenses) is amended by adding at the end thereof the following new sentence: "It shall be unlawful for the national committee of a major party or minor party knowingly and willfully to incur expenses with respect to a presidential nominating convention in excess of the expenditure limitation applicable with respect to such committee under section 9008(d), unless the incurring of such expenses is authorized by the Presidential Election Campaign Fund Board under section 9008(d)(3).".

(4) Section 9012(c) of such Code (relating to unlawful use of payments) is amended by redesignating paragraph (2) as paragraph (3) and by inserting immediately after paragraph (1) the following new paragraph:

"(2) It shall be unlawful for the national committee of a major party or minor party which receives any payment under section 9008(b)(3) to use, or authorize the use of, such payment for any purpose other than a purpose authorized by section 9008(c).".

(5) Section 9012(e)(1) of such Code (relating to kickback and illegal payments) is amended by adding at the end thereof the following new sentence: "It shall be unlawful for the national committee of a major party or minor party knowingly and willfully to give or accept any kickback or any illegal payment in connection with any expense incurred by such committee with respect to a presidential nominating convention.".

(6) Section 912(e)(3) of such Code (relating to kickbacks and illegal payments) is amended by inserting immediately after "their authorized committees" the following: ", or in connection with any expense incurred by the national committee of a major party or minor party with respect to a presidential nominating convention.".

(c) The table of sections for chapter 95 of subtitle H of such Code (relating to the presidential election campaign fund) is amended by striking out the item relating to section 9008 and inserting in lieu thereof the following new item:

"Sec. 9008. Payments for presidential nominating conventions.".

(d) Section 276 of such Code (relating to certain indirect contributions to political

parties) is amended by striking out subsection (c) and by redesignating subsection (d) as subsection (c).

TAX RETURNS BY POLITICAL COMMITTEES

SEC. 407. Section 6012(a) of the Internal Revenue Code fo 1954 (relating to persons required to make returns of income) is amended by adding at the end thereof the following new sentence: "The Secretary or his delegate shall, by regulation, exempt from the requirement of making returns under this section any political committee (as defined in section 301(d) of the Federal Election Campaign Act of 1971) having no gross income for the taxable year.".

PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT

SEC. 408. (a) The analysis of subtitles at the beginning of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"SUBTITLE H. Financing of presidential election campaigns.".

(b) The analysis of chapters at the beginning of subtitle H of such Code is amended by adding at the end thereof the following:

"CHAPTER 97. Presidential Primary Matching Payment Account."

(c) Subtitle H of such Code is amended by adding at the end thereof the following new chapter:

"CHAPTER 97—PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT

"Sec. 9031. Short title.
"Sec. 9032. Definitions.
"Sec. 9033. Eligibility for payment.
"Sec. 9034. Entitlement of eligible candidates to payments.
"Sec. 9035. Qualified campaign expense limitation.
"Sec. 9036. Certification by Comptroller General.
"Sec. 9037. Payments to eligible candidates.
"Sec. 9038. Examinations and audits; repayments.
"Sec. 9039. Reports to Congress; regulations.
"Sec. 9040. Participation of Comptroller General in judicial proceedings.
"Sec. 9041. Judicial review.
"Sec. 9042. Criminal penalties.

"SEC. 9031. SHORT TITLE.

"This chapter may be cited as the 'Presidential Primary Matching Payment Account Act'.

"SEC. 9032. DEFINITIONS.

"For purposes of this chapter—

"(1) The term 'authorized committee' means, with respect to the candidates of a political party for President and Vice President of the United States, the political committee designated under section 302(f)(1) of the Federal Election Campaign Act of 1971 by the candidate of a political party for President of the United States as his principal campaign committee.

"(2) The term 'candidate' means an individual who seeks nomination for election to be President of the United States. For purposes of this paragraph, an individual shall be considered to seek nomination for election if he (A) takes the action necessary under the law of a State to qualify himself for nomination for election, (B) receives contributions or incurs qualified campaign expenses, or (C) gives his consent for any other person to receive contributions or to incur qualified campaign expenses on his behalf.

"(3) The term 'Comptroller General' means the Comptroller General of the United States.

"(4) Except as provided by section 9034(a), the term 'contribution'—

"(A) means a gift, subscription, loan, advance, or deposit of money, or anything of value, the payment of which was made on or after the beginning of the calendar year immediately preceding the calendar year of the presidential election with respect to which such gift, subscription, loan, advance, or deposit of money, or anything of value, is made, for the purpose of influencing the result of a primary election,

"(B) means a contract, promise, or agreement, whether or not legally enforceable, to make a contribution for any such purpose,

"(C) means a transfer of funds between political committees, and

"(D) means the payment by any person other than a candidate, or his authorized committee, of compensation for the personal services of another person which are rendered to the candidate or committee without charge, but

"(E) does not include—

"(i) except as provided in subparagraph (D), the value of personal services rendered to or for the benefit of a candidate by an individual who receives no compensation for rendering such service to or for the benefit of the candidate, or

"(ii) payments under section 9037.

"(5) The term 'matching payment account' means the Presidential Primary Matching Payment Account established under section 9037(a).

"(6) The term 'matching payment period' means the period beginning with the beginning of the calendar year in which a general election for the office of President of the United States will be held and ending on the date on which the national convention of the party whose nomination a candidate seeks nominates its candidate for the office of President of the United States.

"(7) The term 'primary election' means an election, including a runoff election or a nominating convention or caucus held by a political party, 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 of the United States.

"(8) The term 'political committee' means any individual, committee, association, or organization (whether or not incorporated) which accepts contributions or incurs qualified campaign expenses for the purpose of influencing, or attempting to influence, the nomination of any person for election to the office of President of the United States.

"(9) The term 'qualified campaign expense' means a purchase, payment, distribution, loan, advance, deposit, or gift of money or of anything of value—

"(A) incurred by a candidate, or by his authorized committee, in connection with his campaign for nomination for election, and

"(B) neither the incurring nor payment of which constitutes a violation of any law of the United States or of the State in which the expense is incurred or paid.

For purposes of this paragraph, an expense is incurred by a candidate or by an authorized committee if it is incurred by a person specifically authorized in writing by the candidate or committee, as the case may be, to incur such expense on behalf of the candidate or the committee.

"(10) The term 'State' means each State of the United States and the District of Columbia.

"SEC. 9033. ELIGIBILITY FOR PAYMENTS.

"(a) CONDITIONS.—To be eligible to receive payments under section 9037, a candidate shall, in writing—

"(1) agree to obtain and furnish to the Comptroller General any evidence he may request of qualified campaign expenses,

"(2) agree to keep and furnish to the Comptroller General any records, books, and other information he may request, and

"(3) agree to an audit and examination by the Comptroller General under section 9038 and to pay any amounts required to be paid under such section.

"(b) EXPENSE LIMITATION; DECLARATION OF INTENT; MINIMUM CONTRIBUTIONS.—To be eligible to receive payments under section 9037, a candidate shall certify to the Comptroller General that—

"(1) the candidate and his authorized committee will not incur qualified campaign expenses in excess of the limitation on such expenses under section 9035,

"(2) the candidate is seeking nomination by a political party for election to the office of President of the United States,

"(3) the candidate has received contributions which, in the aggregate, exceed $5,000 in contributions from residents of each of at least 20 States, and

"(4) the aggregate of contributions received from any person under paragraph (3) does not exceed $250.

"SEC. 9034. ENTITLEMENT OF ELIGIBLE CANDIDATES TO PAYMENTS.

"(a) IN GENERAL.—Every candidate who is eligible to receive payments under section 9033 is entitled to payments under section 9037 in an amount equal to the amount of each contribution received by such candidate on or after the beginning of the calendar year immediately preceding the calendar year of the presidential election with respect to which such candidate is seeking nomination, or by his authorized committee, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person on or after the beginning of such preceding calendar year exceeds $250. For purposes of this subsection and section 9033(b), the term 'contribution' means a gift of money made by a written instrument which identifies the person making the contribution by full name and mailing address, but does not include a subscription, loan, advance, or deposit of money, or anything described in subparagraph (B), (C), or (D) of section 9032(4).

"(b) LIMITATIONS.—The total amount of payments to which a candidate is entitled under subsection (a) shall not exceed 50 percent of the expenditure limitation established by section 608(c)(1)(A) of title 18, United States Code.

"SEC. 9035. QUALIFIED CAMPAIGN EXPENSE LIMITATION.

"No candidate shall knowingly incur qualified campaign expenses in excess of the expenditure limitation established by section 608(c)(1)(A) of title 18, United States Code.

"SEC. 9036. CERTIFICATION BY COMPTROLLER GENERAL.

"(a) INITIAL CERTIFICATIONS.—Not later than 10 days after a candidate establishes his eligibility under section 9033 to receive payments under section 9037, the Comptroller General shall certify to the Secretary for payment to such candidate under section 9037 payment in full of amounts to which such candidate is entitled under section 9034.

"(b) FINALITY OF DETERMINATIONS.—Initial certifications by the Comptroller General under subsection (a), and all determinations made by him under this chapter, are final and conclusive, except to the extent that they are subject to examination and audit by the Comptroller General under section 9038 and judicial review under section 9041.

"SEC. 9037. PAYMENTS TO ELIGIBLE CANDIDATES.

"(a) ESTABLISHMENT OF ACCOUNT.—The Secretary shall maintain in the Presidential Election Campaign Fund established by section 9006(a), in addition to any account which he maintains under such section, a separate account to be known as the Presidential Primary Matching Payment Account. The Secretary shall deposit into the match-

ing payment account, for use by the candidate of any political party who is eligible to receive payments under section 9033, the amount available after the Secretary determines that amounts for payments under section 9006(c) and for payments under section 9007(b)(3) are available for such payments.

"(b) PAYMENTS FROM THE MATCHING PAYMENT ACCOUNT.—Upon receipt of a certification from the Comptroller General under section 9036, but not before the beginning of the matching payment period, the Secretary or his delegate shall promptly transfer the amount certified by the Comptroller General from the matching payment account to the candidate. In making such transfers to candidates of the same political party, the Secretary or his delegate shall seek to achieve an equitable distribution of funds available under subsection (a), and the Secretary or his delegate shall take into account, in seeking to achieve an equitable distribution, the sequence in which such certifications are received. Transfers to candidates of the same political party may not exceed an amount which is equal to 45 percent of the total amount available in the matching payment account, and transfers to any candidate may not exceed an amount which is equal to 25 percent of the total amount available in the matching payment account.

"SEC. 9038. EXAMINATIONS AND AUDITS; REPAYMENTS.

"(a) EXAMINATIONS AND AUDITS.—After each matching payment period, the Comptroller General shall conduct a thorough examination and audit of the qualified campaign expenses of every candidate and his authorized committee who received payments under section 9037.

"(b) REPAYMENTS.—

"(1) If the Comptroller General determines that any portion of the payments made to a candidate from the matching payment account was in excess of the aggregate amount of payments to which such candidate was entitled under section 9034, he shall notify the candidate, and the candidate shall pay to the Secretary or his delegate an amount equal to the amount of excess payments.

"(2) If the Comptroller General determines that any amount of any payment made to a candidate from the matching payment account was used for any purpose other than—

"(A) to defray the qualified campaign expenses with respect to which such payment was made, or

"(B) to repay loans the proceeds of which were used, or otherwise to restore funds (other than contributions to defray qualified campaign expenses which were received and expended) which were used, to defray qualified campaign expenses, he shall notify such candidate of the amount so used, and the candidate shall pay to the Secretary or his delegate an amount equal to such amount.

"(3) Amounts received by a candidate from the matching payment account may be retained for the liquidation of all obligations to pay qualified campaign expenses incurred for a period not exceeding 6 months after the end of the matching payment period. After all obligations have been liquidated, that portion of any unexpended balance remaining in the candidate's accounts which bears the same ratio to the total unexpended balance as the total amount received from the matching payment account bears to the total of all deposits made into the candidate's accounts shall be promptly repaid to the matching payment account.

"(c) NOTIFICATION.—No notification shall be made by the Comptroller General under subsection (b) with respect to a matching payment period more than 3 years after the end of such period.

"(d) DEPOSIT OF REPAYMENTS.—All payments received by the Secretary or his delegate under subsection (b) shall be deposited by him in the matching payment account.

"SEC. 9039. REPORTS TO CONGRESS; REGULATIONS.

"(a) REPORTS.—The Comptroller General shall, as soon as practicable after each matching payment period, submit a full report to the Senate and House of Representatives setting forth—

"(1) the qualified campaign expenses (shown in such detail as the Comptroller General determines necessary) incurred by the candidates of each political party and their authorized committees,

"(2) the amounts certified by him under section 9036 for payment to each eligible candidate, and

"(3) the amount of payments, if any, required from candidates under section 9038, and the reasons for each payment required.

Each report submitted pursuant to this section shall be printed as a Senate document.

"(b) REGULATIONS, ETC.—The Comptroller General is authorized to prescribe rules and regulations in accordance with the provisions of subsection (c), to conduct examinations and audits (in addition to the examinations and audits required by section 9038(a)), to conduct investigations, and to require the keeping and submission of any books, records, and information, which he determines to be necessary to carry out his responsibilities under this chapter.

"(c) REVIEW OF REGULATIONS.—

"(1) The Comptroller General, before prescribing any rule or regulation under subsection (b), shall transmit a statement with respect to such rule or regulation to the Committee on Rules and Administration of the Senate and to the Committee on House Administration of the House of Representatives, in accordance with the provisions of this subsection. Such statement shall set forth the proposed rule or regulation and shall contain a detailed explanation and justification of such rule or regulation.

"(2) If either such committee does not, through appropriate action, disapprove the proposed rule or regulation set forth in such statement no later than 30 legislative days after receipt of such statement, then the Comptroller General may prescribe such rule or regulation. The Comptroller General may not prescribe any rule or regulation which is disapproved by either such committee under this paragraph.

"(3) For purposes of this subsection, the term 'legislative days' does not include any calendar day on which both Houses of the Congress are not in session.

"SEC. 9040. PARTICIPATION BY COMPTROLLER GENERAL IN JUDICIAL PROCEEDINGS.

"(a) APPEARANCE BY COUNSEL.—The Comptroller General is authorized to appear in and defend against any action instituted under this section, either by attorneys employed in his office or by counsel whom he may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation he may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

"(b) RECOVERY OF CERTAIN PAYMENTS.—The Comptroller General is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined to be payable to the Secretary or his delegate as a result of an examination and audit made pursuant to section 9038.

"(c) INJUNCTIVE RELIEF.—The Comptroller General is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for injunctive relief as is appropriate to implement any provision of this chapter.

"(d) APPEAL.—The Comptroller General is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments, or decrees entered with respect to actions in which he appears pursuant to the authority provided in this section.

"SEC. 9041. JUDICIAL REVIEW.

"(a) REVIEW OF AGENCY ACTION BY THE COMPTROLLER GENERAL.—Any agency action by the Comptroller General made under the provisions of this chapter shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within 30 days after the agency action by the Comptroller General for which review is sought.

"(b) REVIEW PROCEDURES.—The provisions of chapter 7 of title 5, United States Code, apply to judicial review of any agency action, as defined in section 551(13) of title 5, United States Code, by the Comptroller General.

"SEC. 9042. CRIMINAL PENALTIES,

"(a) EXCESS CAMPAIGN EXPENSES.—Any person who violates the provisions of section 9035 shall be fined not more than $25,000, or imprisoned not more than 5 years, or both. Any officer or member of any political committee who knowingly consent to any expenditure in violation of the provisions of section 9035 shall be fined not more than $25,000, or imprisoned not more than 5 years, or both.

"(b) UNLAWFUL USE OF PAYMENTS.—

"(1) It is unlawful for any person who receives any payment under section 9037, or to whom any portion of any such payment is transferred, knowingly and willfully to use, or authorize the use of, such payment or such portion for any purpose other than—

"(A) to defray qualified campaign expenses, or

"(B) to repay loans the proceeds of which were used, or otherwise to restore funds (other than contributions to defray qualified campaign expenses which were received and expended) which were used, to defray qualified campaign expenses.

"(2) Any person who violates the provisions of paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(c) FALSE STATEMENTS, ETC.—

"(1) It is unlawful for any person knowingly and willfully—

"(A) to furnish any false, fictitious, or fraudulent evidence, books, or information to the Comptroller General under this chapter, or to include in any evidence, books, or information so furnished any misrepresentation of a material fact, or to falsify or conceal any evidence, books, or information relevant to a certification by the Comptroller General or an examination and audit by the Comptroller General under this chapter, or

"(B) to fail to furnish to the Comptroller General any records, books, or information requested by him for purposes of this chapter.

"(2) Any person who violates the provisions of paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(d) KICKBACKS AND ILLEGAL PAYMENTS.—

"(1) It is unlawful for any person knowingly and willfully to give or accept any kickback or any illegal payment in connection with any qualified campaign expense of a candidate, or his authorized committee, who receives payments under section 9037.

"(2) Any person who violates the provisions of paragraph (1) shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

"(3) In addition to the penalty provided by paragraph (2), any person who accepts any kickback or illegal payment in connection with any qualified campaign expense of a candidate or his authorized committee shall pay to the Secretary for deposit in the matching payment account, an amount

equal to 125 percent of the kickback or payment received.".

REVIEW OF REGULATIONS

SEC. 409. (a) Section 9009 of the Internal Revenue Code of 1954 (relating to reports to Congress; regulations) is amended by adding at the end thereof the following new subsection:

"(c) REVIEW OF REGULATIONS.—

"(1) The Comptroller General, before prescribing any rule or regulation under subsection (b), shall transmit a statement with respect to such rule or regulation to the Committee on Rules and Administration of the Senate and to the Committee on House Administration of the House of Representatives, in accordance with the provisions of this subsection. Such statement shall set forth the proposed rule or regulation and shall contain a detailed explanation and justification of such rule or regulation.

"(2) If either such committee does not, through appropriate action, disapprove the proposed rule or regulation set forth in such statement no later than 30 legislative days after receipt of such statement; then the Comptroller General may prescribe such rule or regulation. The Comptroller General may not prescribe any rule or regulation which is disapproved by either such committee under this paragraph.

"(3) For purposes of this subsection, the term 'legislative days' does not include any calendar day on which both Houses of the Congress are not in session.".

(b) Section 9009(b) of such Code (relating to regulations, etc.) is amended by inserting "in accordance with the provisions of subsection (c)" immediately after "regulations".

EFFECTIVE DATES

SEC. 410. (a) Except as provided by subsection (b), the foregoing provisions of this Act shall become effective 30 days after the date of the enactment of this Act.

(b)(1) The amendments made by sections 403, 404, 405, 406, 408, and 409 shall apply with respect to taxable years beginning after December 31, 1973.

(2) The amendment made by section 407 shall apply with respect to taxable years beginning after December 31, 1971.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To impose overall limitations on campaign expenditures and political contributions; to provide that each candidate for Federal office shall designate a principal campaign committee; to provide for a single reporting responsibility with respect to receipts and expenditures by certain political committees; to change the times for the filing of reports regarding campaign expenditures and political contributions; to provide for public financing of Presidential nominating conventions and Presidential primary elections; and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 16090) was laid on the table.

GENERAL LEAVE

Mr. HAYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Mark, one of his secretaries, who also informed the House that on August 7, 1974, the President approved and signed a bill of the House of the following title:

H.R. 8217. An act to exempt from duty certain equipment and repairs for vessels operated by or for any agency of the United States where the entries were made in connection with vessels arriving before January 5, 1971, and for other purposes.

PRESS ABSENT DURING DEBATE ON ELECTION REFORM

(Mr. HAYS asked and was given permission to address the House for 1 minute.)

Mr. HAYS. Mr. Speaker, I just think it is worthy to note in the RECORD that when this bill was passed, there were more than 400 Members on the floor of the House and nobody was in the press gallery, after all the nasty things that the press has been saying about me in particular, the committee in general, and the Members of the House for not having passed campaign reform before this.

APPOINTMENT OF CONFEREES ON S. 3698, TO AMEND THE ATOMIC ENERGY ACT OF 1954

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3698) to enable Congress to concur in or disapprove certain international agreements for peaceful cooperation, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? The Chair hears none and appoints the following conferees: Messrs. PRICE of Illinois, HOLIFIELD, MCCORMACK, HOSMER, and HANSEN of Idaho.

ADJOURNMENT TO 11 A.M. FRIDAY, AUGUST 9, 1974

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 a.m., on tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL PROTECTION AGENCY AND CERTAIN RELATED AGENCIES APPROPRIATIONS, 1975—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-331)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

The pressing need to control inflation compels me today to return to the Congress without my approval H.R. 15472, an appropriations bill for the Department of Agriculture, the Environmental Protection Agency and certain related agencies and programs.

Two weeks ago, I vowed to the American people that any appropriations bill substantially above my budget for fiscal year 1975 would be vetoed because it would otherwise contribute to inflationary forces in the economy. This legislation exceeds my budgetary recommendations by such a large amount—some $540 million—that it presents a clear and distinct threat to our fight against inflation and cannot be accepted.

Under this legislation, outlays for fiscal year 1975 would exceed our recommendations by $150 million in fiscal year 1975, $300 million in fiscal year 1976, and by additional amounts in fiscal year 1977. Water and sewer grants for the Department of Agriculture would be authorized at a level of about $345 million, a level more than eight times higher than any level in the past. Funding for agricultural conservation programs would be more than doubled, completely reversing recent efforts of this Administration to reform these programs. Furthermore, this bill would increase certain loan programs operated by the Department of Agriculture by $400 million more than we recommended, an increase which would further strain already over-stressed credit markets and would add to inflationary pressures.

I also oppose a provision in this bill transferring from the Department of Housing and Urban Development to EPA a $175 million program to clean up the Great Lakes. The feasibility of this cleanup program has not yet been proven. Further study is essential if we are to avoid ineffective Federal spending for these purposes.

My original budget recommendations to the Congress laid out program priorities as we see them in the executive branch. While differences have frequently existed between the Congress and the executive branch on priorities for particular programs, I firmly believe that our current fiscal situation demands national unanimity on the issues of a larger concern: namely, that we agree to enact appropriation bills which do not fuel the fires of inflation through excessive spending.

I would welcome Congressional reconsideration of this bill and the program priorities contained therein so that a more acceptable bill can be enacted. In keeping Federal spending under control, we do not intend, of course, to single out only farm or environmental programs. Indeed, I would hope that in considering all future appropriation measures, the Congress will assiduously avoid enacting measures which pose inflationary problems similar to the bill I am returning today.

RICHARD NIXON.

THE WHITE HOUSE, *August 8, 1974.*

The SPEAKER. The objections of the President will be spread at large upon the Journal and the message and bill will be printed as a House document.

POSTPONING CONSIDERATION OF VETO MESSAGE UNTIL THURSDAY, AUGUST 22, 1974

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that further proceedings on the President's message be put over until Thursday, August 22, 1974.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—did the gentleman say that there were two bills tomorrow, or are there three bills?

Mr. O'NEILL. No, there will be two bills tomorrow.

Mr. GROSS. There will be only two bills tomorrow?

Mr. O'NEILL. Only two bills on the program, yes. They are the two bills I mentioned. The third bill that would have been on the calendar is put over until next Wednesday.

Mr. GROSS. I thank the gentleman.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. Mr. Speaker, with regard to the request I have made, may I say that I am making this unanimous-consent request at the request of the chairman of the Subcommittee on Appropriations for Agriculture. This has been agreed to by his counterpart on the committee, the minority leadership on the other side of the aisle.

Mr. GROSS. Mr. Speaker, does the gentleman have any idea when this veto message will come up?

Mr. O'NEILL. They have asked, and I am doing this, as I say, at the request of the leadership on the gentleman's side of the aisle. The chairman of the Subcommittee on Appropriations on Agriculture and his counterpart want to have an opportunity to study the whole matter. They asked for the date of Thursday, August 22. Whether it will come up at that time, or be further postponed, or whether it will be recommitted to the committee I have no knowledge at this time.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CONFERENCE REPORT ON H.R. 15405, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 1975

Mr. O'NEILL (on behalf of Mr. McFALL) filed the following conference report and statement on the bill (H.R. 15405) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 93-1270)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15405) "making appropriations for the Department of Transportation and Related Agencies for the fiscal year ending June 30, 1975, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 5, 10, 11, 12, and 34.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 19, 21, 22, 31, 33, and 35, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$618,144,448"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,375,500,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,250,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$60,000,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,700,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$129,200,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$30,600,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,000,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,575,840,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$73,445,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,130,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$34,800,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,250,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$45,000,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,445,250,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 8, 16, 18, 26, 28, 29, and 30.

JOHN J. McFALL,
SIDNEY YATES,
TOM STEED,
JULIA BUTLER HANSEN,
EDWARD P. BOLAND,
GEORGE MAHON,
SILVIO O. CONTE,
(except I do not agree with positions of conferees on amendments 29 and 30).
WILLIAM MINSHALL,
JACK EDWARDS,
(except I do not agree with positions of conferees on amendments 36, 30 and 29).
E. A. CEDERBERG,
Managers on the Part of the House.

ROBERT C. BYRD,
JOHN McCLELLAN,
WARREN MAGNUSON,
JOHN O. PASTORE,
ALAN BIBLE,
MIKE MANSFIELD,
THOMAS F. EAGLETON,
CLIFFORD P. CASE,
MILTON R. YOUNG,
NORRIS COTTON,
TED STEVENS,
CHARLES McC. MATHIAS, Jr.,
RICHARD SCHWEIKER,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15405) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Amendment No. 1: Appropriates $31,000,000 for salaries and expenses as proposed by the Senate instead of $31,300,000 as proposed by the House.

Under the conference agreement, 42 new positions are provided.

The conferees direct the Department to seek specific separate legislation before the end of this fiscal year to clarify the functions, powers, and duties of the Transportation Systems Acquisition Review Council.

Amendment No. 2: Appropriates $28,000,000 for transportation planning, research, and

development as proposed by the House instead of $32,500,000 as proposed by the Senate.

Coast Guard

Amendment No. 3: Appropriates $618,144,448 for operating expenses instead of $617,579,448 as proposed by the House and $620,444,448 as proposed by the Senate.

The conference agreement includes funds for the New York and New Orleans vessel traffic systems and full-scale air patrols for oil pollution detection as proposed by the Senate.

Amendment No. 4: Appropriates $112,307,000 for acquisition, construction, and improvements as proposed by the Senate instead of $111,307,000 as proposed by the House.

Amendment No. 5: Deletes the $10,000,000 appropriation proposed by the Senate for pollution fund. The conferees expect the Coast Guard to spend what is needed for pollution clean-up and to seek additional funding when it becomes necessary.

Federal Aviation Administration

Amendment No. 6: Appropriates $1,375,500,000 for operations instead of $1,363,000,000 as proposed by the House and $1,379,500,000 as proposed by the Senate.

The conference agreement provides for a total staffing level of 729 positions for the administration of airports program as proposed by the Senate.

Amendment No. 7: Appropriates $12,250,000 for facilities, engineering, and development instead of $12,000,000 as proposed by the House and $12,500,000 as proposed by the Senate.

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate $235,521,000 for facilities and equipment instead of $241,100,000 as proposed by the House and $242,221,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees feel that there are sufficient unobligated funds under this appropriation to procure the equipment required to properly train air traffic controllers, if the Federal Aviation Administration determines that this is a high priority requirement.

The conferees reiterate the position expressed in previous years that the installation of an instrument landing system at Morristown, New Jersey, Airport is not intended and shall not be used as an argument for the expansion of that airport against the wishes of the communities concerned.

Amendment No. 9: Appropriates $60,000,000 for research, engineering, and development instead of $55,000,000 as proposed by the House and $70,000,000 as proposed by the Senate. The Conference agreement includes the full amounts requested for the microwave landing system, advanced radar beacon system, and wake vortex research.

Amendment No. 10: Deletes language proposed by the Senate for grants-in-aid for airport planning.

Amendment No. 11: Appropriates $280,000,000 for grants-in-aid for airports as proposed by the House instead of $284,500,000 as proposed by the Senate.

Amendment No. 12: Deletes language proposed by the Senate earmarking $4,500,000 of the appropriation for grants-in-aid for airports for airport planning grants.

Amendment No. 13: Appropriates $5,700,000 for construction, National Capital Airports instead of $4,200,000 as proposed by the House and $7,200,000 as proposed by the Senate. The conferees have approved the project to enlarge the jet ramp at Dulles International Airport and expect the Federal Aviation Administration to utilize existing unobligated funds, if necessary, to complete the project.

Federal Highway Administration

Amendment No. 14: Limits general operating expenses to $129,200,000 instead of $127,200,000 as proposed by the House and $131,200,000 as proposed by the Senate.

Amendment No. 15: Provides that $30,600,000 of the limitation on general operating expenses is to remain available until expended instead of $28,600,000 as proposed by the House and $32,600,000 as proposed by the Senate.

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate $3,000,000 for rail crossings-demonstration projects instead of $6,000,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

In view of the seriousness of the rail-highway crossing problem, the conferees urge the Department of Transportation to seek a modification of the original legislative authorization to expedite the implementation of this program.

Amendment No. 17: Provides $11,000,000 for railroad-highway crossings demonstration projects instead of $8,000,000 as proposed by the House and $15,500,000 as proposed by the Senate.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to insert the words "by transfer".

Amendment No. 19: Appropriates $5,000,000 for Alaska Highway as proposed by the Senate.

Amendment No. 20: Appropriates $4,575,840,000 for Federal-aid highways (liquidation of contract authorization) instead of $4,573,840,000 as proposed by the House and $4,577,840,000 as proposed by the Senate.

Amendments Nos. 21 and 22: Appropriate $1,600,000 for the Baltimore-Washington Parkway as proposed by the Senate instead of $4,000,000 as proposed by the House.

National Highway Traffic Safety Administration

Amendment No. 23: Appropriates $73,445,000 for traffic and highway safety instead of $71,350,000 as proposed by the House and $80,040,000 as proposed by the Senate.

The conference agreement contains no funds for the crash recorder program. The Committee intends to request an evaluation of this program by the Office of Technology Assessment.

Amendment No. 24: Provides that $29,130,000 of the appropriation for traffic and highway safety shall be derived from the Highway Trust Fund instead of $27,380,000 as proposed by the House and $32,870,000 as proposed by the Senate.

Amendment No. 25: Provides that $34,800,000 of the appropriation for traffic and highway safety shall remain available until expended instead of $33,705,000 as proposed by the House and $36,605,000 as proposed by the Senate.

Federal Railroad Administration

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate $135,000,000 for grants to the National Railroad Passenger Corporation instead of $143,00,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 27: Appropriates $6,250,000 for payment to the Alaska Railroad Revolving Fund instead of $4,000,000 as proposed by the House and $6,500,000 as proposed by the Senate.

Urban Mass Transportation Administration

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate $6,000,000 for administrative expenses and to exempt the appropriations for Coast Guard, operating expenses; Coast Guard, retired pay; Federal Aviation Administration, operations; National Transportation Safety Board, salaries and expenses; Civil Aeronautics Board, salaries and expenses; Civil Aeronautics Board, payments to air carriers; and Interstate Commerce Commission, salaries and expenses; and all limitations in the bill from the 3½ percent across the board reduction proposed by the Senate. The amendment will also provide for an additional reduction of $6,000,000 in the appropriation for Darien Gap Highway. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate $45,130,000 for research, development, and demonstrations and university research and training instead of $51,130,000 as proposed by the House and $58,750,000 as proposed by the Senate. The conference agreement includes $500,000 for the Haddonfield project. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to earmark $41,880,000 of the appropriation for research, development, and demonstrations and university research and training for research, development, and demonstrations instead of $47,880,000 as proposed by the House and $55,500,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

TITLE II

Related Agencies

Civil Aeronautics Board

Amendment No. 31: Appropriates $67,728,000 for payments to air carriers as proposed by the Senate instead of $69,828,000 as proposed by the House.

TITLE III

General Provisions

Amendment No. 32: Limits obligations for highway beautification to $45,000,000 instead of $40,000,000 as proposed by the House and $50,000,000 as proposed by the Senate.

Amendment No. 33: Deletes language proposed by the House which would have prohibited the use of funds for incentive grants for mandatory seat belt legislation.

Amendment No. 34: Limits obligations for state and community highway safety and highway-related safety grants to $100,000,000 as proposed by the House instead of $121,000,000 as proposed by the Senate.

Amendment No. 35: Substitutes the language "the Urban Mass Transportation Act of 1964, as amended," as proposed by the Senate for the language "Urban Mass Transportation Fund" as proposed by the House.

Amendment No. 36: Limits commitments for the Urban Mass Transportation Act of 1964, as amended, to $1,445,250,000 instead of $1,321,750,000 as proposed by the House and $1,708,870,000 as proposed by the Senate. The

breakdown of the conference agreement is as follows:

Capital facilities grants	$1,350,000,000
Technical studies	36,620,000
Research	49,630,000
Administrative expenses	9,000,000

Conference Totals—With Comparisons

The total new budget (obligational) authority for the fiscal year 1975 recommended by the committee of conference, with comparisons to the fiscal year 1974 amount, the 1975 budget estimate, and the House and Senate bills follow:

New budget (obligational) authority, fiscal year 1974	[1] $3,196,760,006
Budget estimates of new (obligational) authority, fiscal year 1975	[2] 3,545,003,552
House bill, fiscal year 1975	[3] 3,182,239,000
Senate bill, fiscal year 1975	[4] 3,288,946,775
Conference agreement	[4] 3,288,504,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1974	+91,743,994
Budget estimates of new (obligational) authority, fiscal year 1975	−256,499,552
House bill, fiscal year 1975	+106,265,000
Senate bill, fiscal year 1975	−442,775

FOOTNOTES

[1] Includes $90,360,000 advance fiscal year 1975 appropriation for Washington Metropolitan Area Transit Authority.

[2] Includes $68,024,000 advance fiscal year 1976 appropriation for Washington Metropolitan Area Transit Authority.

[3] Includes $52,724,000 advance fiscal year 1976 appropriation for Washington Metropolitan Area Transit Authority.

[4] Includes $50,879,000 advance fiscal year 1976 appropriation for Washington Metropolitan Area Transit Authority.

JOHN J. MCFALL,
SIDNEY YATES,
TOM STEED,
JULIA BUTLER HANSEN,
EDWARD P. BOLAND,
GEORGE MAHON,
SILVIO O. CONTE,
(except I do not agree with positions of conferees on amendments 29 and 30),
WILLIAM MINSHALL,
JACK EDWARDS,
(except I do not agree with positions of conferees on amendments 36, 30 and 29).
E. A. CEDERBERG,
Managers on the Part of the House.

ROBERT C. BYRD,
JOHN MCCLELLAN,
WARREN MAGNUSON,
JOHN O. PASTORE,
ALAN BIBLE,
MIKE MANSFIELD,
THOMAS F. EAGLETON,
CLIFFORD P. CASE,
MILTON R. YOUNG,
NORRIS COTTON,
TED STEVENS,
CHARLES MCC. MATHIAS, JR.,
RICHARD SCHWEIKER,
Managers on the Part of the Senate.

EXPLANATION OF INTENTIONS CONCERNING ARTICLES OF IMPEACHMENT RESOLUTION

(Mr. PARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PARRIS. Mr. Speaker, I feel very uncomfortable today. Not uncomfortable because I am required to make a decision between what is right and what is wrong, but uncomfortable because I cannot really believe it has come to this. I feel a very real urge to tell you it cannot be true.

Surely, the Richard Nixon who led this Nation to some of its greatest foreign policy achievements in history and had a long and distinguished career of public service cannot be the same Richard Nixon whose voice I have been listening to for the past few days talking about blackmail and coverup.

Surely, the President who pledged 3 years ago to fight organized crime and whose policies have substantially reduced hijackings and drug use in this Nation cannot be the same President of the United States who has now admitted his willful participation in and actual direction of an obstruction of justice.

It is an incredible transformation. One which staggers reality. But one which I—like most of my colleagues—have come to accept as true.

For some weeks now I have been studiously examining the documents which were referred to Members of the House by the Judiciary Committee. For the past several days I have been listening to the taped conversations of the President and his aides. I have also read the reports of the transcripts of June 23.

During this time my office has received an almost continuous number of telephone calls, letters, and other communications—equally divided on the President's guilt or innocence—but unanimous in the opinion that I should make an immediate judgment in this matter.

I have resisted that course and deliberately chosen not to rush to judgment on an emotional basis. I have tried to calmly and coolly study the evidence before me—an obligation which I believe is given me by the Constitution, and I have determined to be as fair and as objective as possible.

However, after considering all available evidence and my constitutional obligation in this matter, and as a lawyer, it is my opinion that there is now clear and convincing evidence that Richard Nixon has "prevented, obstructed, and impeded the administration of justice." I will therefore vote in favor of article 1 of the Impeachment Resolution if it comes before the full House of Representatives.

I am also inclined to vote in favor of article 2 which charges the President with abuse of powers—but I would like to reserve final judgment on that article—until I fully examine the new evidence relating to the President's suggestion that the Central Intelligence Agency be used to impede the FBI investigation of the Watergate matter. I intend to vote against article 3 in light of the confused status and application of the equally valid principles of Executive privilege and congressional subpena powers which has not been finally determined by the courts.

One of the things which weighed heavily in my decision was my concern over the damage to the system of government which we have so long cherished in this country. There are those who will tell you that no matter what a President has done, nothing justifies his involuntary removal from office because the Office of the Presidency itself would be irreparably damaged by such an action.

I do not happen to share that view. I believe the damage to the system will be far greater if the people of this Nation—and the Congress—allow themselves to be persuaded to condone immoral and illegal activities carried out by any President or his immediate subordinates.

These kinds of activities must be stopped now once and for all. Any other course would commit the people of this Nation to a future mistrust of their public officials and fear that their individual rights and freedoms will be violated by their own Government in the name of national security.

I cannot condone what I have heard—I cannot excuse it—and I cannot and will not accept it.

I do not, however, agree with one of my colleagues who suggested that "Watergate is the shame of the Republican Party" anymore than I would agree with the suggestion that it should be the shame of the church because those involved were members of a particular faith.

To the contrary, I believe that when the roll is called in the House of Representatives most of the Republican Members will cast their votes based not on political considerations, but on the constitutional issues involved—a position which I believe reflects great credit on the party they represent.

I think my feelings at this moment are probably shared by most of the 47 million Americans who voted for Richard Nixon 2 years ago and by the vast majority of the members of my party. I feel sadness, sorrow, shock, dismay, and a sense of profound betrayal and disappointment.

But these feelings are outweighed by my determination to see the system, which sustains our freedom survive, and by my confidence that justice will be done. This Nation is a nation of laws and it will only remain proud, strong, and free as long as it continues to be a nation of laws applied equally to all citizens—including the President of the United States.

UNITED STATES MUST SUSPEND ECONOMIC AND MILITARY ASSISTANCE TO TURKEY

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, for weeks, I have been following the activities of Turkey in Cyprus. Upon seeing no basic changes in her policies, and seeing nothing but a continuation of blatant acts of aggression against the people of Cyprus, I am led to conclude that steps must immediately be taken by the United States to suspend all forms of economic and military assistance to Turkey.

I call for this drastic step only as a result of Turkey's wanton disregard for the rights of humanity and the concept of world peace. Her ruthless and unprovoked invasion of Cyprus, as well as her subsequent occupation of portions of the island, continues to pose a serious threat not only to the security of Cyprus, but to the entire Mediterranean region as well.

The direct result of Turkey's invasion and occupation of Cyprus have been devastating and alarming to all the members of the world community. These actions have contributed to the collapse of the Cyprus Government and caused serious interruptions in the internal affairs of both Cyprus and Greece. Further, her ruthless and barbaric actions thought the occupation posed continual threats to the safety and security of all the citizens of Cyprus as well as the large numbers of foreigners on the island, many of whom are Americans.

Turkey has conducted these acts of aggression without even the most basic of legal principles. If anything, Turkey has attempted to make a mockery of a number of international agreements which deal with Cyprus. Most clearly, they are in violation of the 1960 agreement between Greece and Turkey over their rights in Cyprus. This agreement provides that each country can maintain a small number of units to help supervise their sectors of the island. Yet, Turkey, in this recent crisis, has virtually ignored this important agreement, as well as four United Nations resolutions dealing with Cyprus—and instead, has mobilized a force of some 25,000 men to arbitrarily rule Cyprus.

Therefore, Turkey has both a legal and moral obligation to withdraw their forces from Cyprus. Their failure to do so up to now has only intensified the fears of many in the world who see the potential for a major world crisis evolving from this dispute. Turkey, while historically one of our most unreliable allies, has and continues to be largely dependent on U.S. aid to maintain their military forces. Suspension of this aid represents the only real vehicle we have to convince the Turks to abandon their present policies in Cyprus—and instead begin to respect the fundamental principles of law and morality in all of their international dealings.

ABRIDGEMENT OF RIGHT OF FREE SPEECH AT UNIVERSITY OF COLORADO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 20 minutes.

Mr. GONZALEZ. Mr. Speaker, it is not my intention to utilize the full 20 minutes, but I rise because I am impelled by two very fundamental reasons, at least fundamental to me.

First, it was exactly a year ago today, August 8, 1973, that on the occasion of visiting the campus of the University of Colorado in Boulder, Colo., upon the invitation of the faculty there, to deliver the annual summer lecture, I found myself in quite a unique situation of being prevented from speaking by a riotous, unruly, and violent group of some 50 persons, 49 of whom had come over on a borrowed bus from Denver, upon the instructions of several individuals based in Denver, who for several years have been agitating in the Denver area for a variety of reasons and alleged causes.

Before the hour of the lecture, which was scheduled for 8 p.m., I had a short meeting with a few of those who said they were coming to attend the lecture. As a result of that meeting, I warned the sponsoring faculty member that some type of violence could be expected that evening. But I had accepted the invitation at least 10 months before and was not going to be dissuaded from staying upon the threats of violence which had been made to me by these individuals in this short meeting we had had in the afternoon.

So in the evening, as I attempted to walk into the auditorium, accompanied by the sponsoring faculty member and his wife, this group first attempted to prevent our entrance into the auditorium. They prevented other individuals from entering the auditorium. Failing to prevent our entrance, they then conducted themselves in such a way that made it necessary for the head of the university to declare the lecture canceled.

Although I was present and was sitting in the midst of all the shouting and the violent actions and threats, there were at least four individuals involved, only one of which was a student, who happened to be temporarily enrolled at the University of Colorado for the summer. The rest were not college students; they were individuals who had been transported, as I said before, from Denver.

At least four of these individuals were armed. At least half, possibly more, were drinking what appeared to be whisky or some kind of alcoholic beverage. Others appeared to be hopped up on something besides alcohol.

Mr. Speaker, it was not clear to anybody present exactly what it was that they were attempting to demonstrate, to the point of preventing a peaceful assembly from being conducted on the campus of the university.

As a result of that, it was obvious to me that the university would be faced with future problems. The record shows that in the intervening period of 1 year there have been violent deaths, and among those killed were at least three individuals known to have been present that night in Boulder where they were instructed to not permit me to walk out alive from that meeting. The deaths have resulted from a series of bombings, and, believe it or not, some of the individuals involved, including the three who were killed, were attempting to make some kind of a civil rights cause out of that situation.

Mr. Speaker, that is one reason why I speak. Today commemorates exactly a year ago that that happened. I warned the university and the Denver officials that information given to me by persons living in Colorado who apparently knew some of the individuals indicated a future course of conduct that would lead to violence and bodily harm, injury and property damage, all of which has happened.

There has been a total of six violent deaths resulting from explosions caused apparently by some dynamite that was negligently and carelessly handled by these individuals.

Now, what connection is there between that and the second reason why I speak? The second reason is that just recently the Nation's attention was riveted on a violent course of conduct by a known and an established criminal in the penitentiary in Huntsville, Tex., my home State, carried out by one known as Fred Gomez Carrasco.

Imagine my surprise when a reporter called me just about 24 hours before the termination and the culminating point of that scene. I heard from this reporter that he had interviewed Fred Gomez Carrasco, and obviously he was one of those reporters involved—and let me say these were not newspaper reporters but microphone reporters, that is, radio and television broadcasters, who had flown in like flies to honey to the scene of what was going to be this violent, dramatic expression.

One of them, this gentleman who had called me, had managed to interview Carrasco.

He said:

Did you hear my comment about what Carrasco said about you?

I said:

I do not know what he said.

He said:

Let me read among other things what he did say.

I quote what the newspaper reporter wrote who asked him how he had gotten into a career of crime, and I quote from that reporter's statement:

I did not take a straight career because I saw the injustice of the system. I could have chosen to be a doctor or a lawyer, but I would have been part of the system. The truth is that I didn't have the heart that Henry B. Gonzalez has, I didn't have the heart to live with the system as this Congressman from San Antonio has.

Now, this surprises me. The only way I have known of this man was through the newspaper accounts of his nefarious exploits.

There was no question that he was one of those lamentable, sorry and tragic products of my native city. We have had them all through the history of our city. But I have never seen them glorified or glamorized or romanticized as I have seen it happen this time.

Just as in the case of the Colorado group, Carrasco was using the same expression, he was saying, "The system." As far as I could tell those unruly members at the Boulder campus were using the same expression, "The system." And of course they were demonstrating and

using me as a guinea pig because they did not know me from Adam, and were using me, I presume, as a symbol of the system because I happen to have been elected to the Congress of the United States.

Carrasco, the criminal, the murderer, the drug peddler, was saying, "The system." He chose to be a criminal. He did not have to be. And he admitted that he did not, because we are a system that they curse. He could have been a lawyer. He could have been a doctor but, no, he did not want to choose that course of conduct. He chose premeditatively, calmly, and intentionally a career in crime.

It so happens that 3 years ago, almost, I had terminated a campaign directed at the Justice Department's then Assistant Attorney General for Criminal Matters, a former attorney general of Texas. I have been given credit as a result of the speeches I made on this floor of compelling and forcing his resignation. It is to the ever shame of our Government, especially the Justice Department, that that man was merely permitted to resign. He should have been indicted. He should have been convicted. He should have served a term in jail because he was just as crooked as every one of his superiors then who today have been indicted and convicted. But we could not win that one.

And, in fact, outside of my own area, that was pretty much ignored.

But, following that, the FBI first, and then my local police department, reported that they had information that my life was threatened; that there was a contract out on me. It so happened that in both the case of the information given by the FBI and the information supplied by the Justice Department, the source of that threat centered on criminal fellow travelers of one Fred Gomez Carrasco.

So I cannot think of a higher recommendation, I cannot think of higher praise that I have ever received in my public career than the fact that Fred Gomez Carrasco, clear out of the blue sky, with no connection whatsoever, should take time out while he was holding hostage these fearful humans, including a Catholic priest, while he was virtually paralyzing the whole law enforcement structure of the Texas prison system, a law enforcement agency that I should think symbolized what he detested above all, what he did not like. That to me is a compliment.

But, believe it or not, to some of our news media it was not a compliment. The likes of Carrasco are glamorized. Why? I do not know. They treat with respect a criminal, a murderer who has pitilessly murdered, it is estimated by the police, more than 50 individuals, a man who operated both south of the border and north of the border with impunity for years. A man who managed to get such treatment even after he was sent to the penitentiary—for, where was this murderer at the time he was able to get a gun, which the law enforcement agencies are still trying to find out about? He was working in the library as if he were a good little boy who had never committed a crime.

Why should this have happened? Why should the Assistant Attorney General of the United States for Criminal Matters have been in such an equivocal position as having been able to grant immunity to one of the biggest white-collar criminals in the State of Texas, and not disclosing until I exposed him that he had been the beneficiary of that man and was merely trying to protect him now that he had this awesome power as Assistant Attorney General of the United States.

In all of these connections there is one common thread; in all of these incidents there is one common thread and that common thread is a threat of corruption that is borne out of the greed for money. Carrasco had been able to buy everything from lawyers to law-enforcement officials, and even to court officials and jail trustees. Even after he was sent to the penitentiary, he boasted that he had paid $25,000 to an unnamed prison official in order to have been able to have smuggled the guns that enabled him to do what he did to these poor and these hapless victims.

There is not one word of compunction and regret and sorrow about the innocent victims of these criminals.

How was it that a man like Carrasco could pay hand-over-fist, even while comfortably ensconced in the bare county jail in Texas, big fat fees for lawyers? Why is it that our criminal system of justice allows lawyers not merely to defend—which is our tradition and our right in Anglo-American jurisprudence—but to become copartners with the criminal, not defenders of the criminal, but copartners? This shows the cancer that is eating our society today. Yes, and it may be that Mr. Carrasco was informed even as he was attempting to villify me, I have been engrossed in following through further criminal connections between the highest levels of international, not just national but international, organized crime and some of the unhappy events developing in my own district.

Mr. Speaker, I use this forum as a means of advising the heirs, the unwholesome and criminal heirs and partners of Carrasco that I will continue to endeavor and will do everything one single isolated Congressman can do to root out this evil, if not from the State, if not from the country, certainly from the 20th District of the State of Texas.

EMERGENCY LOANS DESERVED BY FARMERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 5 minutes.

Mr. RAILSBACK. Mr. Speaker, Illinois farmers know all too well the repercussions of natural disasters—floods, droughts, and tornados. The loss of crops and livestock mean loss to income, and damaged machinery and buildings can often mean financial ruin.

Fortunately, the Government has tried to help those adversely affected by such disasters. In response to the 1973 spring rains and floods, the President signed into law Public Law 93-237, legislation providing until April 2, 1974, to apply for emergency loans at 1 percent interest and with $5,000 forgiveness under the Consolidated Farm and Rural Development Act.

Most unfortunately, this did not assist all those who were hard hit by the 1973 disasters. Several people wrote me that the new act was poorly advertised, and, in one case, a local office simply did not follow up in a farmer's inquiry. Even those who were aware of the program were upset. Several recalled earlier problems resulted in a great deal of redtape and limited benefits. Therefore, they didn't even bother to sign up for this program, realizing only too late what assistance it really provided. Still others complained they didn't know there was a forgiveness feature in the bill. Even my Washington office was informed that only loans were available to flood victims.

After hearing from several dozen farmers, who, I felt, had legitimate complaints, I wrote Charles Shuman, the Illinois State Director for the Farmers Home Administration, asking what could be done. In his reply, Mr. Shuman pointed out:

> We are not authorized to accept applications delivered after April 2, 1974, and we are without authority to extend the April 2, cut-off date for receiving applications.

Because of this lack of authorization, I am today introducing legislation on behalf of the 1973 rain and flood victims. My bill will extend for an additional 60 days the application deadline for loans under the Consolidated Farm and Rural Development Act. I urge the House Agriculture Committee to act favorably on this legislation at once. Farmers who have been hard hit by a natural disaster deserve all the help they can get without the penalty of a deadline they either don't understand or of which they were not even aware. Thank you.

THE NEED FOR ELECTED—NOT APPOINTED—PRESIDENTS AND VICE PRESIDENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 5 minutes.

Mr. PATMAN. Mr. Speaker, under present circumstances, it appears that very soon the two highest offices in the land will be filled by appointed officials without the people passing on either candidate.

With all of the difficulties that this Nation has gone through in recent months and with our proud history as a democratic country, I find this prospect to be very disappointing. It is essential that the American people have confidence in these offices and in my opinion

this can be maintained only if the people have a voice in selecting the occupants.

Mr. Speaker, the Constitution should be carefully explored to determine whether there is any way to call national elections under existing powers. In my opinion we face an emergency situation—a severe crisis of confidence in our Federal Government—and extraordinary means should be taken to bring the people into some of the most important decisions this Nation has ever faced. Without question, the 25th amendment complicates the procedure but I am not convinced that the provisions of this amendment wipe out the powers spelled out in article 2, section 1 of the Constitution. It is my opinion that this section of article 2 does leave the possibility that the Congress can call such an election.

Article 2 provides:

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

Mr. Speaker, I am not unmindful of the extreme difficulties in calling such an election but I am convinced that this is something that can be done if the Congress and the public really want to do it.

In light of all that the Nation has gone through in this so-called Watergate mess, it is so essential that the President and the Vice President operate with the fullest confidence of the people and on the highest moral and legal basis.

Judging from the statements that have been coming forth from Republican leaders, it appears likely that GERALD FORD will soon be elevated to the top office in this Nation. Mr. FORD, of course, was appointed to his present job as Vice President by the President who, we are told, will either resign or be removed from office.

Thus the outgoing President—if indeed he is outgoing as the Republicans tell us—will have selected his successor. In turn, his successor will appoint—appoint—a Vice President who then will be in line of succession for the Presidency.

Mr. Speaker, I do not think that this succession of appointed officials is a healthy thing for a democracy and I hope that strong consideration will be given to exploring possible means of calling national elections at the earliest possible moment. The election machinery, of course, is already in place in every State for the November balloting and this could certainly be utilized.

IMPACT OF PORTUGUESE COUP IN AFRICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 5 minutes.

Mr. DIGGS. Mr. Speaker, I would like to insert, for the thoughtful attention of my colleagues, the following article which appeared in the August 12, 1974, issue of Newsweek, entitled "Portugal: End of an Empire" underscores the impact of the April 25 Portuguese coup in southern Africa, with particular attention to recent events. Of special note is the pressure placed on Southern Rhodesia by the imminence of independence in neighboring Mozambique, which, until recently, provided Rhodesia's only access to the sea through the port of Beira.

The article follows:

[From Newsweek, Aug. 12, 1974]

PORTUGAL: END OF AN EMPIRE

For months, the government of President António de Spínola had been torn by bitter infighting on the sensitive subject of decolonization. The President himself believed that the African territories should be granted a large measure of autonomy but remain under the Portuguese flag. But the young officers who installed him in office after the overthrow of the dictatorship in April favored full independence as rapidly as possible. Last week, after a dramatic television address by the monocled Spínola, it became clear that he had lost the argument. "We are ready from this moment," the President declared, "to initiate the transfer of power to the peoples of the overseas territories considered suitable for this development, namely Guinea, Angola and Mozambique."

It was an announcement of historic importance. For one thing, it meant Portugal was about to wind up a colonial rule in Africa dating back more than 500 years to Prince Henry the Navigator. Perhaps even more important, by dismantling the last colonial empire on the African continent, the Lisbon government was radically changing the whole political picture in southern Africa. Once the Portuguese territories become free, Rhodesia and South Africa will remain as the only major bastions of white rule, and Africa's blacks are certain to intensify the pressure on them.

The first of the Portuguese territories to win freedom will be Guinea-Bissau, the poor and swampy land on the bulge of West Africa. Power will be turned over to the African Party for the Independence of Guinea and Cape Verde (PAIGC), the left-leaning liberation movement that already controls a large part of the country. The only sticking point between Lisbon and the PAIGC leaders concerns the Cape Verde Islands, an archipelago located 400 miles out in the Atlantic Ocean. PAIGC wants the islands to become part of Guinea-Bissau; the Portuguese want the islanders to vote on whether to join Guinea-Bissau or remain with Portugal.

In Mozambique, it is not clear whether sovereignty will be handed over to the Front for the Liberation of Mozambique (Frelimo), the robust liberation movement headed by Samora Machel, or to a coalition government in which Frelimo would have the dominant role. But in any case, Portuguese authorities feel certain that Mozambique will be fully independent by next April. Whites in Mozambique will be invited to remain and participate in the government, and Frelimo has guaranteed that their rights and property will not be jeopardized.

VOLATILE

The path to independence for Angola may be longer—two to four years. Whether Portugal can hold on that long, however, remains open to question. Angolan politics are highly volatile, and in recent weeks race riots have broken out in the capital of Luanda. Moreover, the liberation movement is badly splintered and has no common policy toward independence. The Portuguese promise to move ahead as swiftly as possible, if only to remain on friendly terms with whoever ends up ruling a country that has the resources to become one of the richest nations in Africa.

Rhodesia is already feeling the pressure created by the decision in Lisbon. Frelimo guerrillas, who have been making gains against the buckling Portuguese Army, have now completely severed the vital rail link between Rhodesia and the port of Beira in Mozambique. After Prime Minister Ian Smith and his white-supermacist government were voted back into power by a landslide in Rhodesia last week, one official gloated that "this ensures the future of the white man." But it seemed unlikely that the electoral victory would ensure any such thing. White Rhodesians are a small minority in the country, and they are already fighting a grueling war against terrorists striking along their borders. Once Mozambique becomes independent and black-ruled, it seems certain that it will become a vast base for stepped-up guerrilla operations.

An obviously concerned Ian Smith will soon meet with South African Prime Minister John Vorster to discuss future strategy for the diminished fortress of white southern Africa. But if Rhodesia and South Africa can expect considerable trouble in the years ahead, Portugal expects nothing but good to flow from its decision to decolonize. Lisbon anticipates better relations with the Common Market nations, the U.S. and the Soviet Union—and also some badly needed economic aid. The Portuguese are also confident that they can retain close ties with Guinea-Bissau. Mozambique and Angola. "We have nothing against the Portuguese," said one Frelimo leader last week, confirming these hopes. "We were only against their colonial policy."

AMENDMENTS TO THE URBAN MASS TRANSIT BILL, H.R. 12859

(Mr. MILFORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILFORD. Mr. Speaker, I insert herewith the following amendments to the urban mass transit bill, H.R. 12859, for my colleagues perusal:

AMENDMENTS TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 46, after line 7, insert the following:

"(4) No urbanized area shall receive a grant or grants under this subsection in any fiscal year which exceed in the aggregate an amount equal to 10 per centum of the total of all grants to be made in such year under this subsection.

Page 46, line 8, after "(b)" insert "(1)".

Page 47, after line 14, insert the following:

"(2) No urbanized area shall receive a grant or grants under this subsection in any fiscal year which exceed in the aggregate an amount equal to 10 per centum of the total of all grants to be made in such year under this subsection.

AMENDMENTS TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 43, line 16, strike out "or operation".

AMENDMENTS TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 43, line 23, strike out "and operation."

Page 46, line 4, strike out "and operation,".

Page 46, line 10, strike out "and operation".

Page 47, line 24, strike out "and operation".

AMENDMENTS TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 57, strike out lines 3 through 6, inclusive, and reletter the succeeding subsection accordingly.

Page 57, line 10, strike out "or operation".

AMENDMENTS TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 58, line 4, strike out "(a)".

Page 58, strike out line 8 and all that follows down through page 59, line 2.

AMENDMENTS TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 64, lines 22 and 23, strike out "or operating assistance for bus operations".

Page 65, lines 24 and 25, strike out "facilities, equipment, and operations" and insert in lieu thereof "facilities and equipment".

AMENDMENT TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 67, line 5, strike out "or operation".

AMENDMENTS TO H.R. 12859, AS REPORTED, OFFERED BY MR. MILFORD

Page 43, line 16, strike out "or operation".

Page 43, line 23, strike out "and operation".

Page 46, line 4, strike out "and operation,".

Page 46, line 10, strike out "and operation".

Page 47, line 24, strike out "and operation".

Page 57, strike out lines 3 through 6, inclusive, and reletter the succeeding subsection accordingly.

Page 57, line 10, strike out "or operation".

Page 58, line 4, strike out "(a)".

Page 58, strike out line 8 and all that follows down through page 59, line 2.

Page 64, lines 22 and 23, strike out "or operating assistance for bus operations".

Page 65, lines 24 and 25, strike out "facilities, equipment, and operations" and insert in lieu thereof "facilities and equipment".

Page 67, line 5, strike out "or operation".

WHY MUST WE DISGRACE A MAN TO REMOVE HIM FROM OFFICE?

(Mr. RONCALIO of Wyoming asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RONCALIO of Wyoming. Mr. Speaker, every now and then one sees a suggestion that cannot be denied. I feel the following letter from the Reverend David S. Duncombe, of Saint Michael's Episcopal Mission at Ethete, Wyo., provides such a suggestion. It proposes changes in our system of government so that the parliamentary processes similar to those in Canada and England and numerous other nations might be put to use in America. We can no longer afford, for the reasons so clearly brought forth in Reverend Duncombe's letter, to proceed along the lines that our recent crisis has demonstrated is not in the best interest of effective self-government. It is, in fact, destructive, wasteful, and too inefficient for a modern nation to tolerate.

The letter follows:

SAINT MICHAEL'S,
Ethete, Wyo., August 1, 1974.

Hon. TENO RONCALIO,
House of Representatives,
Washington, D.C.

DEAR TENO: As time has permitted, I've continued to follow the Impeachment inquiry and decisions of the House Committee and have been deeply impressed with its debate, and judgments. We still have a long way to go before anything becomes final but in advance of any ultimate decisions I wish to share with you some further thoughts.

One cannot watch the progress, hear the debating and assess the voting of the House Judiciary Committee (and I imagine this to be but a capsulated preview of what must now take place in the Full House or perhaps, in the Senate) without being aware that our constitutional process while majestic and strong, is nevertheless too slow in this regard. And I end up more convinced than ever that a change in our Constitution leaning toward a Parliamentary form of government would make us a healthier and stronger Nation. I am aware that certain groups have developed plans and recommendations along these lines, and I would not presume to know just how this idea should be developed into law. But in practice I can see many advantages to a means by which we could change our President and the Party in power without going through the damaging, lengthy and expensive process of impeachment. It is impressive to me that Canada, Israel, England and several other Nations that use the parliamentary system have in fact changed their governments even in time of serious crisis of late during the time our process of impeachment has dragged along.

Way back in 1971, when the Watergate Break-in occurred, the "Government" should have been called into question and perhaps required to stand aside for a General Election. If returned to power, there would have been no need for a Cover-up; if defeated another "Government" would have taken the reins of power until a further challenge or General Election. The same can be said of the Cambodian Invasion, the ITT and Milk Scandal, the Income Tax, and the "Western and Florida White House" matters. In every case and others, under a Parliamentary form of government the President would have to appear before the whole Congress to defend his policy and his leadership in these matters, and they in response would either support what had been done or censure the action, if necessary by terminating that government.

We are seeing in the present debate and voting by Democrats and Republicans a "Loyal Opposition" operating from the position of strength and a "Party in Power" operating in weakness. We are seeing a "division of the house", and a call for the President to "Resign". But nothing is definitive. It is part of a continuing process that will grind on step by step or perhaps grind to a halt.

As we approach the 200th year of the founding of this Nation's Constitution it is time for a critical re-examination of this important method; of its workings and to look to ways that make it possible to change the Country's leadership without the lengthy and fighting process we are now going through.

One other point. I hear many reponsible and intelligent persons say we can't afford to lose President Nixon's leadership. In a parliamentary system (unless convicted of grand crime) we would not lose it even if he and his party were defeated. He would merely become the leader of the opposition. Why do we have to disgrace and destroy a public servant to get him out of office? The same is true of most General Elections where the defeated candidate becomes a "nobody".

I urge you therefore to take the time to study in depth the various avenues of constitutional change along the lines that would develop a parliamentary form of government, and further request such a measure be put before the House and the people of the United States.

God bless you in the time of difficult decision that is coming upon you.

Rev. DAVID S. DUNCOMBE.

PROFESSIONAL CRUSADERS OPPOSE PRODUCTIVE PROJECTS

(Mr. POAGE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. POAGE. Mr. Speaker, well-meaning but misinformed and misguided individuals often oppose projects and proposals designed to increase our production of commodities and services, doing so on the alleged grounds of environmental and ecological conservation.

In many instances these citizens are led along in their paths of obstructionism by militant, professional crusaders whose salaries with various organizations depend on how much agitation they can stir up. In order to do this, they may make noisy protests which give a distorted picture of the true public sentiment on a controversial issue.

An example of nonlocal sort of pressuring is set forth in a column in the Glen Rose Reporter, published in my congressional district, and written by Jack McCarty. I insert it in the RECORD at this point:

[From the Glen Rose (Tex.) Reporter, Aug. 1, 1974]

TRACKS IN THE SANDS OF SOMERVELL

(By Jack McCarty)

The AEC environmental impact hearing, now underway here is probably the first federal hearing of any type conducted in Glen Rose and certainly it is the first of this kind held here or anywhere else in the Lone Star State, as this is the first nuclear-powered plant proposed in Texas.

The proposal by Texas Utilities, Inc., to build a nuclear-powered steam electric generating plant in Somervell County has brought our community reams of publicity during the past two years—some good and some bad, but virtually all of the opposition to construction of the facility has come from other sectors. We are safe in saying that less than one percent of the local population has voiced fear or oposition to it.

Yet that small group augmented by a few paternalistic do-gooders about the state have succeeded in securing a large amount of publicity from the metropolitan press and other news media, in which repeated attempts have been made to picture our community as torn asunder over widespread differences of opinion concerning the location of the plant here.

As the hearing got underway Wednesday the most vocal opposition was expected from one of these groups from Dallas known as "CASE" (Citizens Association for Sound Energy) headed by Robert Pomeroy, a Dallas pilot who has had a lot to say recently about

the AEC and the proposed power plant. If his type had been in control of things in the days of the Wright Brothers, he wouldn't have a lucrative job piloting an airplane, because we would still have the invention under study trying to prove to every nitpicking organization in the country that the flying contraption was safe for mankind to use. They would still be pointing to the boat and train as being sufficient modes of travel.

Personally, this writer wants sufficient electric energy to run our great state and nation—not sound energy as this group proposes. We have had too much sound already.

We trust that these knowledgeable men sitting in judgment of this proposal will see fit to grant the permits sought to make this proposal a reality, and we hope they enjoy their brief stay in our fine community.

All of which goes to prove that it is absolutely impossible to keep a squirrel on the ground in brushy country.

STATEMENT ON "THE NUCLEAR DEBATE: A CALL TO REASON"

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, recently, on June 19, 1974, a group of six nuclear scientists and engineers who formerly were associated with certain "public interest" causes, issued a position paper entitled, "The Nuclear Debate: A Call to Reason." This thoughtful, balanced paper by very knowledgeable individuals deserves careful review by all of us who must take responsible positions in the national interest. Its reasoned approach is a refreshing, welcome interval in the crescendo of diatribe and irrationality that surrounds us these days. The authors express genuine concerns of most experts in the energy field.

For this reason, I wish to place this report in the RECORD:

THE NUCLEAR DEBATE: A CALL TO REASON

(By Ian A. Forbes, Marc W. Goldsmith, Dr. Joseph P. Kearney, Dr. Andrew C. Kadak, Dr. Joe C. Turnage, and Dr. Gilbert J. Brown)

(Figures referred to not reproduced in the RECORD.)

PREFACE

Ralph Nader says that nuclear power is "unsafe, unreliable and unnecessary". Some members of the nuclear industry claim that nuclear power is clean, safe and virtually accident free. Who is right? We feel that neither is correct, nor do they provide the public with the objective and unemotional facts that the public rightly deserve.

Ralph Nader, and several members of the Union of Concerned Scientists (UCS) have contributed a great deal to the polarization of the issue of safe electrical energy and made reasoned debate almost impossible. Mr. Nader's presentations of the nuclear power plant safety question are spiced with scare tactics, many factual errors and are, all in all, an attempt to force the public to make a decision on nuclear power without the benefit of the best information available on the subject. The Union of Concerned Scientists' recent move away from examination of specific technical issues such as the Emergency Core Cooling System (or ECCS) and radioactivity release limits for nuclear power plants, to a general call for a national "moratorium" on the construction of nuclear power plants is particularly disappointing. The recent intervention by UCS member Daniel Ford against Boston Edison's Pilgrim nuclear power plant in Plymouth is over so minor an issue that it can serve no end other than to delay operation of the plant and cost Edison's customers a needless $9 million a month.

At fault, too, are members of the nuclear industry who feel that the public deserves no better than childish arguments and an elitist "we-know-better" attitude. Some politicians should be equally criticized for jumping onto either side of the nuclear bandwagon without first considering all the facts.

As a group of scientists and engineers, we have spent considerable time investigating, arguing and evaluating both sides of these issues. We feel that the public must be informed of the possible ways in which electric power can be supplied in the future, and of the costs and risks of those possibilities.

Can the "environmentally clean" alternatives—fusion, solar power, tidal power, geothermal power—solve our problems? For fusion and solar power the answer is "maybe," but not for the next 25 years. For the next quarter of a century our only feasible methods for generating electricity are coal, oil and nuclear power. In this paper we examine the safety, reliability, economic costs and environmental effects of these three alternatives.

Rigorous examination of the present risks, costs and impact of all electric power sources leads us to conclude that nuclear power is more than acceptable; it is preferable. A call for a nuclear moratorium is without merit, particularly at a time when the country is striving for energy self-sufficiency.

The resolution of the energy supply question, and the nuclear power plant safety question in particular, will require the participation, in good faith, of industry, government and consumer advocates. The public deserves no less.

I. AUTHORS' BIOGRAPHIES

Dr. Ian A. Forbes—profession: chairman, dept. of nuclear engineering, Lowell Technological Institute. Education: Univ. of Newfoundland, B.S. in physics; M.I.T., Ph. D. in nuclear engineering. Memberships: American Nuclear Society, former member of the Union of Concerned Scientists. Dr. Forbes has served as a consultant to Mass. P.I.R.G. East, the Appalachian Mountain Club and was one of the four authors of the first U.C.S. paper on emergency core cooling. He is active in reactor safety, fast reactor physics, nuclear fuel management and neutron transport theory research. He has lectured at U. Mass. (Amherst) and has authored numerous technical articles, including 13 U.S.A.E.C. reports.

Marc W. Goldsmith—profession: nuclear engineer. Education: N.Y. Maritime College, B.S. in marine nuclear science; M.I.T., M.S. in nuclear engineering; M.I.T., nuclear engineer's degree. Memberships: American Nuclear Society. He has served as consultant on nuclear power to the New England Coalition on Nuclear Pollution and is knowledgeable in the engineering, licensing, research and safety aspects of marine and central station nuclear power.

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Dr. Gilbert J. Brown—profession: instructor, nuclear engineering, Lowell Technological Institute. Education: Cornell Univ., B.S. in engineering physics; M.I.T., M.S. in nuclear engineering; M.I.T., Ph.D. in nuclear engineering. Membership: American Nuclear Society, Sigma Xi. Dr. Brown's specialities are fuel management economics, fast reactor physics and radiation damage to materials. He teaches advanced reactor engineering and reactor design courses.

This paper expresses solely the personal views of the authors and not the positions of any organizations with which they are or were associated.

II. OVERALL ASSESSMENT

As a group of scientists and engineers who have investigated, argued and evaluated both sides of the energy controversy, we have become increasingly concerned about the quality and accuracy of the information about nuclear power that has been presented to the public by consumer advocates and industry spokesmen. Emotionalism does not provide the public with the information it needs to judge nuclear safety. In fact, it does just the opposite. It polarizes the debate and makes reasoned decisions more difficult. This paper attempts to compare the safety, environmental impact, availability and economics of our major sources of electrical energy—coal, oil and nuclear power—in a balanced manner, in the hope that it will contribute to greater public understanding of the issues.

The recent debate over how the United States should produce clean, safe and economical energy is dismaying. One would expect leaders in science, engineering and government to be leading national discussions, educating the public on available, viable energy technologies. Instead our technological leadership has floundered. The Federal Government has failed to take substantive action to alleviate the immediate shortages, and appears to be incapable of implementing long-term solutions. As a result, the burden has fallen on the public to form its own opinion and to direct its elected representatives, at all levels, toward the solutions they feel are appropriate. In light of this need, it is disheartening to see the issues involved in the energy question being oversimplified,[1] to see blatant attempts to polarize the public around non-issues,[2] and to see participants, who are highly valued as protectors of the public making unsupportable statements on key issues.[3]

Unfortunately, the energy dilemma is not a problem with simple solutions. Oversimpli-

Footnotes at end of article.

fication of a complex issue sound very alluring, as they permit decisions to be made with little difficulty. However, they generally lead to shortsighted or incorrect decisions. An example of such a simplification is lumping the nuclear safety issue into the question of President Nixon's credibility. A recent radio commercial from the Massachusetts Public Interest Research Group, Inc. (MASS PIRG) states:

"Whether Richard Nixon or Ralph Nader is telling the truth about atomic safety is a life or death matter for Massachusetts . . . Many scientists and people who live nearby [nuclear plants] think that the risk of an accident is too high. They believe Mr. Nader more than Mr. Nixon."

It would be very simple if testing Richard Nixon's credibility would solve the nuclear safety problem; but it won't. This type of reasoning presented to the public is similar to the now ancient claim that "What is good for General Motors is good for the U.S." When a public interest spokesman, however, stoops to using this tactic of polarizing opinion around a non-issue he degrades the entire concept of public advocacy. At a time in history when this nation so desperately needs public advocates, the use of this tactic severely damages their credibility and hence their future impact.

Public interest groups should serve the very necessary functions of introducing new values and of refocusing on existing values. Public interest activities must continue and must be consistently and vigorously supported to maintain a healthy, growing society. However, vital issues must be kept in focus and personal interest must balance not overshadow, the facts. One issue currently being publicly debated is the question of nuclear power plant safety and its relationship to the broader issue of clean, economic and safe energy supplies for the future. These issues will be addressed in the remainder of this report.

The next 15 to 25 years of decisions and technological change require careful, concise analysis to insure that optimum solutions are achieved within economic, technical and social constraints. The following areas have received much attention in recent debate:

a. Safety

b. Plant Availability. (Availability is the fraction of time during the year that a power plant can produce power. This term is commonly used interchangeably with reliability, c.f., Section V.)

c. Cost of Power and Supplies of Fuel

d. Environmental Impact

Although the issues involved in discussing safe energy supplies are not simple, it is our belief that their pertinent technical aspects are not incomprehensible to the public. Dr. Ralph Lapp did an admirable job of demonstrating this in a recent *New York Times* Magazine Section article.[4]

Many important questions have already been raised by public advocacy movements about nuclear and fossil-fueled power, such as: the adequacy of emergency core cooling, environmental impact statements, and low-level radioactive releases, all pertaining to nuclear-powered plants; ash and sulfur dioxide releases, oil spills and coal strip mining (two of the authors of this paper aided the Natural Resources Defense Council (NRDC) in one of the first suits to force TVA to reclaim adequately land strip-mined for its coal) for fossil-fueled plants. These issues have been tackled, changes implemented and resolutions sought by public interest attorneys and technologists over the past few years.[5] Many gains have been made toward assuring greater guarantees of nuclear plant safety. More gains can be made in such areas as the long-term storage of nuclear wastes. However, they will not be made if the energy/safety issues are considered as addenda to crusades over non-related, over-simplified issues, such as Richard Nixon's credibility or the role of big business in contemporary society. The issue of safe energy must be addressed on its own. It must be addressed in the same fashion as its historical antecedents, with well conceived positions and forceful arguments.

Short range energy alternatives

The main focus of this discussion is on how society is going to supply its energy needs over the next 15 to 25 years. This is not to imply that society can ignore what must be done now to assure ourselves adequate energy supplies beyond those 25 years. New energy technologies must be researched and developed.

Solar energy, coal gasification and thermonuclear fusion appear to be the most likely resolutions to our long-term needs. Their commercial operation is not expected within the next few decades. Wind, tidal and geothermal energy sources are not large enough to be of significant impact. The emphasis of this work is on the short-term, alternative energy sources: coal, oil, natural gas and nuclear power. All of these short-term alternatives will benefit from energy conservation programs and present energy supply replacement programs, such as solar space heating. Nevertheless, the major concern of the following discussion is the supply of electric energy that will play a larger and larger role through the next two decades. This being the case, the alternatives that must be discussed are coal, oil and nuclear power. (The supplies of natural gas and alternatively, Liquified Natural Gas (LNG), are so limited they will be used as residential fuel rather than for electricity production in central stations and will not be discussed further in this paper.)

Conclusions

Our assessment of energy supply during this time frame compares feasible alternatives on the basis of their risks to the public health and safety, their overall impact on the environment and their costs. We conclude that:

1. During normal operation, nuclear plants pose less risk to public health than coal- or oil-fired electric plants.

2. The risk to the public, for the worst hypothetical accidents for both nuclear and fossil plants, is less than most of the risks society has historically accepted.

3. The overall impact of nuclear plants on land, air and water is far less than that of coal-fired plants and comparable to that of oil-fired plants.

4. Nuclear plants are slightly less reliable than contemporary large fossil plants; despite this, they are much more economical. The nuclear industry is, effectively, only 10 years old. As it matures, its reliability should increase, broadening nuclear power's economic advantage.

5. For nuclear power to be a viable energy source, the nuclear industry and the Atomic Energy Commission must set a high priority for intensive and well-funded programs to resolve such problems as: the long-term storage of nuclear wastes; quality control in the construction of nuclear power plants; decreasing the likelihood of human error in the operation of nuclear plants; and safeguarding against loss or theft of special nuclear materials.

In the next four sections of this paper we will discuss each of these issues further.

III. POWER GENERATION SAFETY

Major accidents

Public discussions of nuclear reactor safety tend to focus on the "Maximum Credible Accident" (MCA), the accident with the worst postulated consequences. They neglect consideration of accidents whose consequences are less serious than the MCA. We choose to do the same, not because the smaller accidents do not merit examination, but because public concern focuses on the likelihood of the most controversial accident. Assessment of the consequences of this accident for nuclear plants have ranged from "It'll never happen" to "guesstimates" of up to 100,000 deaths and the destruction of an area the size of Pennsylvania.[1]

Neither extreme is correct. We shall attempt to put this accident and its consequences in a more reasoned perspective. The concept of a maximum credible accident should also be applied to nonnuclear methods of power production, i.e., coal and oil, although this is not current practice. For example, when the maximum credible accident for an oil-fired plant (one can postulate a fire that consumes all the oil reserves stored at the plant) is examined in detail, it is evident that the likelihood is higher than, and the health risks (mortality and morbidity) similar to those for a major nuclear accident. An important point to remember in discussing accidents is that, while the risks may be real, the accident scenarios are still hypothetical. There has never been such a major nuclear or fossil power plant accident.

The major nuclear accident (or the China syndrome revisited)

A nuclear accident that may result in the release of significant amounts of radioactive materials can be postulated to occur in several ways. To date, the two primary scenarios that have been considered are a "guillotine" break of a main reactor cooling water pipe that provides the cooling for the nuclear fuel "core"; and a "catastrophic" rupture of the steel pressure vessel that contains the nuclear fuel "core".

For a major accident to occur by the first method, a main reactor cooling water pipe (these steel pipes are extremely large, about 36 inches in diameter, with a 3½-inch wall thickness) must not just crack or split open, the way that a pipe would generally be expected to fail. It must actually break cleanly all the way around (a so-called "guillotine break") with complete separation of the broken ends. Because nuclear piping is designed to high seismic (earthquake-resistant) and stringent quality standards it is highly unlikely that a crack or split would occur, and even less likely that a guillotine break would occur.

If such a break should happen, the result would be what is known as a Loss of Coolant Accident (LOCA). The reactor vessel would lose pressure as water poured out of the break. The cooling water in the vessel would turn to steam, leaving the nuclear fuel without an adequate cooling medium. This situation could lead to melting of the radioactive fuel unless some alternative means of cooling is provided.

The much-discussed Emergency Core Cooling System (ECCS) is intended to provide several backup supplies of cooling water to keep the fuel from melting. The ECCS has been the object of much heated controversy (one of the authors of this paper was an author of the first Union of Concerned Scientists' paper[6] critical of the ECCS) and a lengthy Atomic Energy Commission hearing.[5] This controversy centers

Footnotes at end of article.

on the fact that there have been virtually no actual tests of this system under realistically simulated accident conditions. The LOFT (Loss of Fluids Test) reactor in Idaho Falls will be used to conduct the first true integrated experimental test of the ECCS, but will not be ready for operation until mid-1975.

As a result of the recent hearings, the Atomic Energy Commission's design regulations for the Emergency Core Cooling Systems have been made more stringent and the computer codes used for design have become much more sophisticated. In addition, nuclear reactors are now using fuel "rods" that are smaller than those previously used. These smaller rods are more easily cooled. It is our opinion that the ECCS can reasonably be expected to operate effectively and prevent the nuclear fuel from melting. However, without experimental verification, which the LOFT reactor tests should provide, it is likely that the public will remain skeptical of the ability of the ECCS to prevent the nuclear fuel from melting.

So let us suppose that the ECCS does not work, and follow the subsequent course of the postulated accident. If the radioactive fuel is left uncooled, it will melt and slump to the bottom of the steel pressure vessel, melt through the vessel and fall into the concrete foundations below. It is at this point that a number of people have postulated (not calculated) a situation where the molten nuclear fuel, in one single lump, sinks into the earth below the power plant and then releases all its gaseous and volatile radioactivity back up through the earth and into the atmosphere. Then, assuming the winds carry all this radioactivity off to the nearest city, deaths in excess of 100,000 have been "predicted".

This frightening scenario neglects several important facts (other than the fact that the likelihood of a guillotine pipe break followed by failure of the ECCS is extremely small). The first is that the molten nuclear fuel is more likely to disperse in the concrete and rock under the reactor than to sink down as a single mass.[7 12] This means that the fuel would melt only a short distance into the concrete foundation of the plant or the earth beneath. Secondly, the radioactivity, in the form of a gas, is more likely to return to the containment building, in which the reactor and its pressure vessel are housed, along the holes created by the melting fuel, than to create new paths out into the atmosphere. Thirdly, the earth has an excellent capacity for absorbing all but a few of the gaseous and volatile radioactive materials that would be released (noble gases are virtually the only exceptions).

A large percentage of the dangerous fission products that return to the containment attach themselves to the surfaces in the containment, never to reach the public. Those that are trapped in the earth under the plant would take decades to migrate away from the plant site—ample time to assure the protection of the public from the small amount of radioactivity still remaining.

All of this implies that in the highly unlikely event of a meltdown of the nuclear fuel, only a small fraction of the radioactivity in the fuel could be expected to escape into the atmosphere.

One other means by which the nuclear fuel could lose its cooling water and melt is the so-called "catastrophic failure" of the steel pressure vessel that contains the fuel. Again, this is an extremely unlikely event. No failure of a power plant pressure vessel has ever occurred, whether the plant be coal-, oil- or nuclear-fueled. In addition to this, nuclear pressure vessels are subjected to many stringent examinations for flaws before they are placed in service and must also undergo regular inspection once they are in use. However in the highly unlikely event that the pressure vessel does rupture, the cooling-water will be lost and the fuel will melt. Again, for the reasons discussed above, only a small fraction of the radio-activity contained in the fuel could ever be expected to reach the atmosphere.

Current designs do not include any means of mitigating the consequences of a pressure vessel rupture. The position of knowledgeable pressure vessel experts [8] is that the accident is so remote that this is not necessary. It is worth pointing out, however, that there are several ways in which this accident could be prevented altogether.

In summary, then, a major nuclear accident requires either:

1. An extremely unlikely type of break of one of the main cooling lines, following by failure of the Emergency Core Cooling System (we feel that the ECCS would work); or

2. A severe rupture of the pressure vessel, which is considered to be so remote an event as to be virtually negligible, but which could be mitigated completely.

Even if the nuclear fuel were to melt down, dispersion of the fuel into and absorption of gases and volatile materials by the earth and the containment, would result in only a small release of radioactivity to the atmosphere. Hence, rather than the figure of 100,000 deaths due to a nuclear accident, which some people have "predicted", it would seem to be difficult to determine any sequence of events, however improbable, that could lead to (more than) 1000–5000 deaths (both immediate and long-term).

While those numbers may still seem high to some (however remote the risk), we will see in the next section that they may be no worse than the consequences of a major accident in an oil-fired plant, and comparable to, or less than, many other natural or technological risks to human life.

The major fossil-fueled plant accidents

A study of the events and consequences leading to a maximum credible accident (MCA) in fossil-fueled plants has never been performed in detail comparable to studies of a nuclear plant accident. The AEC, which regulates the nuclear power industry, has postulated or hypothesized the maximum credible accident after some rigorous investigation and a careful examination of what could be postulated as the worst accident situation. The fossil-fueled power industry does not have a guardian of public health and safety similar to the AEC. Therefore, the sequence of events and failures is left to the imagination.

The major oil-fired plant accident

To postulate a sequence of events similar to the nuclear power MCA, it is necessary to first look at the fuel handling operations that occur in oil-fueled power generation. This power generation requires many diverse fuel processing operations prior to the actual production of electricity: first, the drilling for oil; second, the refining of the oil to usable fuel; third, the transportation of the oil to power generating stations; fourth, the storage of the oil until use; and fifth, the burning of the oil to produce power. At any point during or after refining and prior to the actual controlled burning of the oil in a boiler, premature ignition of large quantities of fuel can occur. There are a multitude of accident scenarios that we can picture, many have actually occurred. (During the last 15 years there have been (on the average) 14 oil tanker explosions/year. A fully laden 200,000-ton oil tanker (tankers are now being built with up to 500,000-ton capacities) has aboard as much potential thermal energy as a two-megaton hydrogen bomb. There are now 63 tankers in service with 200,000-ton or up capacities, over 300 under construction and over 100 in planning stages.[21]) Examples are loaded tankers colliding in a port causing a massive fire; storage tanks igniting in a large tank farm near the center of a city and refineries exploding, causing chain reaction explosions and massive fires in the associated process and storage tanks. Almost every major coastal port city has, either within the city or nearby, a major oil or gas storage facility with millions of gallons of flammable liquids and gases. For instance, the Chelsea Mass. tank farm contains 151 million gallons of fuel oil, literally on top of a population of 37,000.

Any of these postulated accidents can cause numerous deaths if the same assumptions of worst meteorological conditions with worst coincidental effects are combined in a similar method to the AEC's "worst case" accident.[9 10] Without detailed analysis, it is difficult to claim that the nuclear plant MCA has greater public impact than an oil-fueled MCA.

A detailed study of tanker collisions and storage tank and refinery fires and explosions is required in order to develop the probability of these postulated events occurring. (*The World Almanac and Book of Facts*[11] provides detailed information on major oil spills, oil tanker fires, etc.) Further study is required to determine the range of effects of one of these events, in terms of the "worst case" loss of life, injury and costs to the general public. Despite the present lack of these detailed studies the very simple accident scenarios described demonstrate that an oil-fueled power plant can have an accident comparable in magnitude and severity to the nuclear-fueled power plant. Just like the nuclear accident, some proponents will claim, "It can never happen"; others will "guesstimate" several hundred thousand deaths and billions of dollars in damage. At least one investigation,[13] however, has shown that the probability of occurrence and magnitude of the consequences of a maximum credible accident in either an oil-fired or nuclear plant are comparable. We are of the opinion that there is no greater risk due to an accident with a nuclear plant than an oil-fired plant. *Coal-Fired Power Plant Accident*

It is difficult to postulate a coal-fired accident comparable to an oil-fueled or nuclear-fueled power plant's MCA. Coal is not as volatile as oil or gas, nor as toxic in the accident situation as radiation. Coal's danger to public health and safety lies primarily in its long-term health effects. These long-term effects are the result of a continuous degradation of the atmosphere by waste products from the combustion of coal in a steam generator (boiler). The waste products, SO_x, NOx, unburnt hydrocarbons, carbon monoxide, heavy metals and particulates, have been shown to be very detrimental to health. These waste effluents from normal

Footnotes at end of article.

or nuclear-fueled plant.[14] This is especially true since we still lack adequate cleanup facilities for noxious wastes in coal and oil. While a coal-fueled power plant maximum credible accident is very difficult to hypothesize, the degradation of public health is a constant, continuous action resulting from the gaseous effluents' effects on the respiratory system. The integrated mortality and morbidity caused by these releases will be orders of magnitude greater than the morbidity and mortality from an MCA, either oil or nuclear.

Public health risks during normal operation

There are also public health risks associated with the normal operation of oil-fired and nuclear-fueled plants. Like coal, the greatest health hazards of oil-fired plants are due to air pollution. For nuclear plants the health hazards are due to small radioactivity releases from the plant.

Many studies[13 14 15 16] have been conducted to evaluate the nature and the magnitude of these health hazards. They indicate that respiratory ailments caused by chronic exposure to sulfur and nitrogen oxides from coal- or oil-fired plants will result in many more fatalities than the additional cancer fatalities caused by the radiation exposure from nuclear plants. These health hazards, however, are relatively small. They present the public with dangers slightly smaller (this assumes that everyone is exposed to the maximum allowable radioactive limit whereas in reality radioactive releases from nuclear power plants have been factors of 10 or more less than those allowable. This reduces the risk of nuclear power electricity generation to a risk comparable to extremely rare natural occurrences over which we have no control, i.e. being struck by lightning) than do those rare accidental occurrences about which the public shows only a moderate degree of concern, for example, drowning. The extent of concern over this particular hazard leads the public to exercise caution whenever swimming. However, this small probability of drowning does not deter the public from swimming altogether. Likewise, the risks associated with power production are equally as small and therefore, of themselves, should not be an impediment to the use of any of the three power sources. Any use of these sources of electricity should, obviously, be made with the utmost care to minimize even further their small health risks. Finally, since nuclear power poses the smallest public health hazard during normal plant operation it should be the favored source of electricity over the next few decades.

PREDICTED MORTALITY RATES FOR ELECTRIC POWER PLANTS*

Mortality rate (Fatalities per million people per year)	
Powerplant type:	
Coal-fired	[16] 300
Oil-fired	[15] 250
Nuclear-fueled	[15] 18

*These predictions are based on the very pessimistic assumption that the entire population is subjected to the maximum allowable amount of each pollutant from each plant type.

IV. POWER ALTERNATES AND FUEL SUPPLIES

In evaluating the merit of any and all feasible energy sources the following must be considered:

2. The amount of fuel available in this resource.

3. The overall impact on the environment due to its use.

4. The cost of producing energy from this resource. Items 2 and 4 will be discussed in Sections V and VI respectively. Items 1 and 2 are discussed below.

For the immediate future, new power plants must be built, even if only to replace old plants that must be taken out of service. Energy conservation and increased efficiency in consumption will decrease the rate of growth in energy demand if a strong program is initiated and implemented. However, such a conservation program will not decease energy consumption, but will only slow the rate of increase. Consequently, for the immediate future, new power plants must be based on technologies presently available.

The "immediate future" spans a time of between 15 and 25 years. The principal reason for this dependence on present technology over this time period is that the introduction of new energy technologies, to supply a large portion of our energy needs, will require more than 15 to 25 years. Assuming that today a new technology was shown to be environmentally, socially and economically the best means to supply electricity, it would take:

1. About 10 years to organize the capital, manpower and manufacturing facilities required to supply the equipment for these new plants;

2. About 10 years to plan the siting and construction of these new plants; and

3. At least an additional five years of operational testing, debugging and fine tuning of these new designs to inspire the confidence of a large number of utilities, in order that they be purchased on a large scale.

Admittedly, certain portions of these three time periods might overlap, but we can reasonably expect an introductory time period for a new energy technology of between 15 and 25 years.

Solar, fusion, wind and tidal power are suggested schemes for future energy production that *appear* to be environmentally preferable to coal, oil and nuclear power. However, these energy sources are all in the research and/or development stage. As a result of the time lag before the introduction of any new technology, we are left with only three basic large energy sources over the next two or three decades. These are coal, oil and nuclear power.

Coal, oil and nuclear fuel supplies in the United States

The most abundant U.S. fuel supply (using presently available technologies) is coal. Estimates describe the quantities of coal available in terms of meeting all our coal demands for centuries into the future. Unfortunately, coal is environmentaly the worst of the three fuel alternates (see Section V, Environmental Impacts). With extensive and therefore, expensive, pollution controls, coal will supply only a portion of our future electricity needs. If we are to avoid coal's environmental and public health impacts we must rely on either oil or uranium, the source of nuclear power, to meet larger amounts of our electricity needs over the next few decades.

The crude oil supplies in the U.S. are limited and as a result the U.S. had recently developed a small dependence on foreign oil. The temporary cutback of foreign oil supplies in 1973 taught us how undependable operation of a coal-fired plant, are more of a health hazard than the MCA of either the oil that supply of oil could be. Our future demand for oil must be met, therefore, from U.S. sources. The present U.S. sources of crude oil, even when expanded to include oil from Western shale, or oil from the Atlantic Ocean's outer continental shelf, could very easily supply that demand. However, these supplies will be extremely costly. Section VI of this paper describes the present economic disadvantage of oil as an electricity supplier. This disadvantage would increase if the oil originated from oil shale.

Is there any relief from this tight supply situation through the use of the nuclear fuel, uranium? Over the next few decades the answer is "yes". Even assuming the largest possible amount of nuclear fuel use projected through this century, the uranium reserves and potential resources of uranium at $30/lb of U_3O_8 (uranium ore), would last until the late 1990's. This calculation of the time to deplete these resources assumed the installation of 1500 million kilowatts of light water cooled nuclear plants by the year 2000.[10] For this calulation, the uranium reserves and potential resources assumed to be available at $30.00/lb U_3O_8 were 2,200,000 tons.[22]) These supplies of uranium would be more costly than present uranium supplies, but would still produce cheaper electricity than oil-fired plants since the uranium fuel contributes only 5 percent to the total cost of generating nuclear power.

Additionally, the U.S. position in the world uranium market is much stronger than in the world oil market. Between 30 and 40 percent of estimated world uranium reserves are in the U.S.

For these reasons, reliance on nuclear power for increasing amounts of our electricity over the next few decades will present little or no fuel supply problems. At the very least, the use of uranium will provide the U.S. with a cleaner fuel than coal and a more available supply of fuel than oil.

V. ENVIRONMENTAL IMPACTS

The production of electric energy from all present fuel sources is environmentally degrading. This degradation can occur during each of the fuel processing steps necessary prior to electricity production, as well as during production itself.

Major fuel utilization processes that have an impact on the environment are:

a. Production (mining and extraction of the raw fuel source).

b. Refining (preparing the raw source for combustion).

c. Transportation (getting the fuel to the site of combustion).

d. Burning the fuel to produce power.

e. Disposal of the residues after burning.

The impacts of major concern caused by these processes are:

a. Air Pollution.

b. Water Pollution (thermal, chemical and radioactive).

c. Solid Wastes.

d. Land Use.

e. Visual (aesthetic) Pollution.

f. Occupational and Public Health.

The overall environmental effects of power generation, from the sources deemed feasible over the short term, are highlighted in Table 1. This table[17] compares the environmental impact of electric generating systems in six basic areas. The table (prepared by the Council on Environmental Quality) also makes a subjective assessment of the severity of the impacts in each of these areas.

1. The time required to bring the source to commercial operation.

Footnotes at end of article.

TABLE 1.—COMPARATIVE ENVIRONMENTAL IMPACTS OF 1,000-MEGAWATT ELECTRIC ENERGY SYSTEMS OPERATING AT A 0.75 LOAD FACTOR WITH LOW LEVELS OF ENVIRONMENTAL CONTROLS OR WITH GENERALLY PREVAILING CONTROLS

[Severity rating key: 5=serious, 4=significant, 3=moderate, 2=small, 1=negligible, 0=none]

System	Air emissions			Water discharges				Solid waste			Land use		Occupational health		
	Tons ($\times 10^3$)	Curies ($\times 10^6$)	Severity	Tons ($\times 10^3$)	Curies ($\times 10^3$)	B.t.u.'s ($\times 10^{12}$)	Severity	Tons ($\times 10^3$)	Curies ($\times 10^6$)	Severity	Acres ($\times 10^3$)	Severity	Deaths	Work-days lost ($\times 10^6$)	Potential for large scale disaster
Coal:															
Deep-mined	383.0		5	7.33		3.05	5	602		3	20.4	3	4.00	8.77	Sudden subsidence in urban areas, mine accidents.
Surface-mined	3.3		5	40.5		3.05	5	3.267		5	31.3	5	2.61	3.00	Landslides.
Oil:															
Onshore	159.4		3	5.00		3.05	3	(1)		1	20.7	2	.35	3.61	Massive spill on land from blowout or pipeline rupture.
Offshore	158.4		3	6.07		3.05	1	(1)		1	17.8	1	.35	3.61	Massive spill on water from blowout or pipeline rupture.
Imports	70.6		2	2.52		3.05	1	(1)		1	17.4	1	.06	.69	Massive oil spill from tanker accident.
Nuclear		489	1	21.3	2.68	5.20	3	2.620	1.4	4	19.1	2	.15	.27	Core meltdown radiological health accidents.

[1] Not available

Source: "Energy and the Environment, Electric Power," prepared by the Council on Environmental Quality, August 1973.

Table 1 shows that the impact on air emissions is most severe for coal-fired generating systems, while nuclear air emissions are negligible. The overall environmental impact of water discharges from coal and oil (except onshore oil) is more damaging than nuclear. This is largely due to acid mine drainage for coal mining and risks of water pollution and disposal of brine found with oil. Nuclear does, however, create more thermal pollution during operation, up to 30% more in local water bodies.

In the solid waste area, the most environmentally damaging method of generation is seen to be surface-mined coal, because of the large volume of waste produced. Oil produces a small amount of inert solid waste, whereas in contrast, the nuclear radioactive waste disposal problem is considered to be of significant severity. Long-term storage of highly radioactive nuclear waste does indeed pose a serious problem. To date, several suggestions have been proposed, but no solution has been accepted.

The environmental impact of land use is most severe for surface-mined and deep-mined coal. Nuclear and oil systems have small or negligible impact.

Clearly the most dangerous form of power generation, relative to occupational health, is deep-mined coal with four deaths per year per million kilowatt electric plant. Nuclear fuel and imported oil have the smallest occupational death rates (0.15 to 0.06 deaths per plant per year, respectively). In terms of work days lost, the coal option is again the most severe, with nuclear clearly being the safest, occupationally.

When reviewing large scale disasters, the numerous *actual* occurrences of coal mining accidents, land giving way near a coal mine, and land and slag slides, must be compared to the *postulated* core meltdown or radiological health accidents associated with nuclear power. In addition, massive land or sea oil spills and oil well fires must be considered.

In order to make an overall comparison of the environmental effects of coal, oil and nuclear power generation, the relative severities of the environmental effects of the three energy sources were averaged to give a single overall "environmental impact indicator" for each source.

The results of this averaging are shown in Table 2. This table clearly indicates that coal, whether deep-mined or surface-mined, is the most environmentally damaging, while oil and nuclear have the same, small environmental effect.

Considerations that enter into these assessments of environmental impact include the following: [18]

Footnotes at end of article.

COAL

Mining

Deep-Mined.—Land disturbance, acid mine drainage, land subsidence, solid wastes, mine and waste pile fires and occupational hazards in mining are major negative impacts of the production of coal.

Surface-Mined.—Huge land disturbance, acid mine drainage, silt runoff, ecological and esthetic damage to strip-mined areas.

TABLE 2.—*Average Environmental Impact of Electric Energy Systems (From Table 1)*

System*	Average severity**
Coal (Deep Mined)	3.2
Coal (Surface Mined)	5.0
Oil (Onshore)	1.8
Oil (Offshore)	1.8
Oil (Imports)	1.6
Nuclear	2.0

*Based on 1000 Mw electric energy systems operating at 0.75 load factor with low levels of environmental controls or with generally prevailing controls.

**Describes the severity rating key: 5=Serious; 4=Significant; 3=Moderate; 2=Small; 1=Negligible, and 0=None.

Transportation

Accident risks associated with the transportation of huge quantities of coal.

Generation of electricity

Water pollution and air pollution. Sulfur oxides, nitrous oxides and particulates are the major pollutants due to coal burning. Thermal discharges at power plants are minor impacts while large amounts of solid waste (ash) are present after burning and present disposal problems.

OIL

Extraction

Onshore.—Production and disposition of extracted brine, oil spillage, land use and air pollution from flares.

Offshore.—Oil spills from blowouts, pipeline ruptures, the water pollution associated with dumping the brine or oil into the ocean and air pollution from flares.

Transportation

Pipeline ruptures and pipeline rights-of-way as well as tanker transport have detrimental environmental effects.

Refining

Water pollution caused by thermal and chemical effluents; air pollution through sulfur oxides, unburnt hydrocarbon and nitrogen oxide release; and solid wastes make refining one of the dirtier oil-fired pollution problems.

Generation and electricity

The worst effect of oil-fired electricity generation is air pollution with the lesser effect being thermal pollution.

NUCLEAR

Mining, milling and enriching

Land disturbance from surface and underground mines, health risk to workers, radiological releases from milling operations (air and water), radioactive release during enrichment processes.

Transportation

Accident potential associated with the transportation of radioactive materials.

Generation of electricity

Nuclear-fueled electric production has two major pollutants: radioactivity in liquid, gases and solids, and thermal pollution.

Disposal of wastes

Long-term storage and monitoring of radioactive wastes.

VI. ECONOMIC ANALYSIS OF ALTERNATIVES

One of the most important factors in assessing a particular energy source is its economic cost and its available reserves. Many studies have been commissioned to assess the cost of energy generating systems. One of particular interest is a study by the Arthur D. Little Corporation done for Northeast Utilities. This study, released in July 1973, presents estimates and projections of costs for coal, oil and nuclear power plants. Based on this and many other studies, it is evident that the over-all cost of nuclear power is significantly less than that for coal or oil.

Figure 3 taken from this report, provides a breakdown of projected power costs for an 1150-megawatt electric power plant. The results are for a plant commencing operation in 1981. Capacity factors of 50 percent for the first year of operation, 65% for the second, and 75% for all subsequent years, were assumed for all plants.

Estimates (the unit used here for fuel cost is mills/kwh. A mill/kwh is equivalent to $0.001 per kilowatt-hour of electricity generated) in Figure 3 were based on fuel, capital and operating costs in the first quarter of 1973. Since that time, the cost of fuel oil has increased significantly. The base price for the cost of low sulfur oil has risen from approximately $4.40 per barrel to about $13.00 per barrel since the report was issued. Figure 2 shows the effect of this increase in the price of oil on the comparison of the total electric generating costs for each of the three fuels.

This significant increase in the generating costs of oil-fired plants is presently being reflected in electric bills via the "fuel adjustment allowances". Any increased use of oil-fired plants can only make the costs of electricity even higher. Clearly, nuclear power is the most economic bulk electricity supplier primarily due to its relative insensitivity to fuel costs.

VII. POWER PLANT RELIABILITY *

The issue of nuclear plant reliability has become important as a concerned public attempts to form an opinion regarding the use of nuclear reactors for electric generating stations. The call for a nuclear moratorium is usually preceded by the claim that nuclear power is not only unsafe and unnecessary, but that it is unreliable as well. Reference is often made to a May 1973 article in the *Wall Street Journal*[19] that stated that "the most dependable feature of nuclear power plants is their unreliability".

Clearly, some nuclear power plants have not operated as reliably as their owners would have liked. There have been problems. The record is clear that the reliability of nuclear power plants has been lower than anticipated over the first one to three years of commercial operation. However, the record is also clear on at least two other counts. First, nuclear plants have been generally as reliable as fossil plants of approximately the same size. Second, the reliability of nuclear generating stations usually increases substantially after the station has been operating for a few years. The facts regarding nuclear plant operation do not support the contention that reactors are unreliable devices.

The following points need to be understood:

1. One of the best guides to generating plant reliability in current use is a number called plant availability. Plant availability indicates the portion of time during a given period that the plant is available for use. Availability factors are thus one measure of the plant's ability to provide electrical energy. If a plant must be taken off the line because of the failure of one of its components, its availability is adversely affected.

2. In general, there is a greater disparity in plant availability between large and small fossil stations than between fossil and nuclear stations of approximately the same size. During the years from 1960 to 1972, total plant availability of fossil units between 60 and 90 megawatts in size averaged about 92 percent, whereas fossil units 600 megawatts or more averaged about 73 percent. Of the 29 nuclear plants operating at the end of 1972, half were larger than 600 megawatts and currently ordered nuclear plants are typically twice that size. In general, nuclear plant availability has been in the range of 68 to 70 percent. Reactor availability (the availability of just the reactor rather than the entire plant) from 1960 to 1972 averaged about 76 percent.

Additionally, examples can be found where nuclear plants are *more* reliable than fossil pants of comparable size. Commonwealth Edison in Chicago, which runs 25 percent of the nuclear capacity in the country, found that during the 12-month period ending November 30, 1973, their four large nuclear stations (Dresden 2 and 3, Quad Cities 1 and 2, each about 800 megawatts) averaged 82.6 percent availability, compared to 71 percent for their five large baseload coal-fired plants (Kincaid 1 and 2; Joliet 7 and 8: all over 600 megawatts; and Powerton 5, which is 850 megawatts). So it is no small coincidence that the nation's "most nuclear" electric utility is also performing very well financially—in contrast to many utilities' current cash flow squeeze and declining profits.

It's generally true that the longer nuclear units are in service, the better their records, in spite of a decline in average nuclear plant reliability during 1973 (for older plants). The oldest (since 1957) commercially operating nuclear plant in the country, at Shippingport, Pennsylvania, was available more than 95 percent of the time between 1966 and the end of 1972. Five more of the oldest operating reactors (Dresden 1, Yankee Rowe, Big Rock Point, Humboldt Bay, and Connecticut Yankee) averaged better than 83 percent availability for the six-year period 1967–1972.

FOOTNOTES

[1] Ralph Nader, Address to the Joint Session of the Massachusetts Legislature, March 21, 1974.

[2] As reported in *Nucleonics Week*, McGraw-Hill, Inc., March 14, 1974, p. 7.

[3] Ralph Nader, *The New York Times* Magazine Section, Letters to the Editor, March 24, 1974, p. 8.

[4] Ralph Lapp, "Nuclear Salvation or Nuclear Folly", *The New York Times*, Magazine Section, Feb. 10, 1974.

[5] "Public Rulemaking Hearing on Acceptance Criteria for Emergency Core Cooling Systems for Light-Water Cooled Nuclear Power Reactors" Docket No. RM50–1, USAEC, 1973.

[6] Forbes, I. A., et al., "Nuclear Reactor Safety: An Evaluation of New Evidence", *Nuclear News*, p. 32. Sept. 1971.

[7] Barnard L. Cohen, Introduction to Nuclear Energy Session, APS Topical Conference on Energy, Chicago, February 1974.

[8] "Report on the Integrity of Reactor Pressure Vessels for Light-Water Power Reactors", The Advisory Committee on Reactor Safeguards, January 1974.

[9] "Theoretical Possibilities and Consequences of Major Accidents in Large Nuclear Power Plants", USAEC report WASH–740, March 1957.

[10] "The Safety of Nuclear Power Reactors (Light-Water-Cooled) and Related Facilities", Final Draft, USAEC report WASH–1250, July 1973.

[11] *The World Almanac and Book of Facts*, 1974 Edition, Newspaper Enterprise Association, 1973.

[12] R. Phillip Hammond, "Nuclear Power Risks", *American Scientist*, Vol. 62, No. 2, March-April, 1974, p. 158.

[13] Starr, C. and Greenfield, M. A., "Public Health Risks of Thermal Power Plants, UCLA–ENG–7242, May 1972.

[14] Lim, Tek Hian, "Some Quantitative Risk and Benefit Comparisons from Generating Electricity of Coal-Fired and Nuclear-Fueled Power Plants Using Decision Analysis", Dept. of Nuclear Engineering and Lawrence Berkeley Laboratory, University of California.

[15] The Effects on Populations of Exposure to Low Levels of Ionizing Radiation," Report of the Advisory Committee on the Biological Effects of Ionizing Radiations, Division of Medical Sciences, National Academy of Sciences-National Research Council, November 1972.

[16] Lave, L. B. and Freeburg, L. C., "Health Effects of Electricity Generation from Coal, Oil, and Nuclear Fuel," *Nuclear Safety*, Vol. 14, No. 5, September-October 1973.

[17] "Energy and the Environment," Council of Environmental Quality Report, Issued August 1973, Report No. 0494–514, U.S. Government Printing Office.

[18] H. Perry and Harold Berkson, "Must Fossil Fuels Pollute," *Technology Review*, Vol. 74, No. 2, December, 1971, pp. 34–43.

[19] Thomas Ehrick, "Atomic Lemons—Breakdowns and Errors in Operation Plague Nuclear Power Plants," *The Wall Street Journal*, May 3, 1973, p. 1.

[20] "Nuclear Power, 1973–2000", Forecasting Branch, Office of Planning and Analysis U.S.A.E.C., WASH–1139 (72), December 1, 1972, p. 2.

[21] Noel Mostert, "Supertankers," *The New Yorker*, May 20, 1974.

[22] "Statistical Data of the Uranium Industry," Jan. 1, 1973 U.S.A.E.C., GJO–100, and Ninninger, Robert D., "Uranium Reserves and Requirements," Atomic Industrial Forum, Uranium Seminar, 1973.

* Nuclear and fossil plant operating statistics used in calculating the availability numbers in this section were collected from the Edison Electric Institute and the Nuclear Assurance Corporation plant data files.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GONZALEZ today for 20 minutes, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. PARRIS) to revise and extend their remarks and include extraneous material:)

Mr. BUCHANAN, for 30 minutes, August 9.

Mr. BUCHANAN, for 30 minutes, today.

Mr. RAILSBACK, for 5 minutes, today.

Mr. MILLER, for 5 minutes, today.

Mr. KEMP, for 10 minutes, today.

(The following Members (at the request of Mr. LEHMAN) and to revise and extend their remarks and include extraneous matter:)

Mr. MATSUNAGA, for 5 minutes, today.

Mr. PATMAN, for 5 minutes, today.

Mr. DIGGS, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PRICE of Illinois, and to include extraneous matter notwithstanding the fact that it exceeds 4¾ pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $1,320.50.

Mr. ANDERSON of California, to revise and extend his remarks immediately following the vote on the Anderson-Udall amendment on H.R. 16090 in the Committee of the Whole today.

(The following Members (at the request of Mr. PARRIS) and to include extraneous material:)

Mr. WINN.

Mr. HOSMER in two instances.

Mr. ZWACH.

Mr. HUDNUT.

Mr. MILLER in four instances.

Mr. WYMAN in two instances.

Mr. SARASIN.

Mr. STEIGER of Wisconsin.

Mr. ESCH.

Mr. HUBER.

Mr. GILMAN in two instances.

Mr. RAILSBACK in two instances.

Mr. MIZELL in five instances.

Mr. DERWINSKI in three instances.

(The following Members (at the request of Mr. LEHMAN) and to include extraneous matter:)

Mr. ANDERSON of California in two instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. VANDER VEEN in two instances.

Mr. BADILLO in three instances.

Mr. CULVER in six instances.

Mr. MAHON.

Mr. FAUNTROY.

Mr. MURTHA.

Mr. O'HARA.

Mr. EDWARDS of California in five instances.

Mrs. BURKE of California.

Mr. ANDREWS of North Carolina.

Mr. DENT.

Mr. NICHOLS.
Mr. MURPHY of New York.
Mr. KYROS in five instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1694. An act to regulate commerce and to protect petroleum product retailers from unfair practices and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3548. An act to establish the Harry S. Truman memorial scholarships, and for other purposes; to the Committee on Education and Labor.

ENROLLED BILL AND A JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the house of the following titles, which were thereupon signed by the Speaker:

H.R. 69. An act to extend and amend the Elementary and Secondary Education Act of 1965, and for other purposes;

H.J. Res. 1104. Joint resolution to extend by 62 days the expiration date of the Export Administration Act of 1969.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 229. A joint resolution to amend the Export-Import Bank Act of 1945.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, August 9, 1974, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2642. A letter from the Director of Federal Affairs, National Railroad Passenger Corporation, transmitting the financial report of the corporation for April 1974, pursuant to section 308(a)(1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

2643. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the number of individuals in each general schedule grade employed on June 30, 1973, and June 30, 1974, by NASA under chapter 51 and subchapter III, chapter 53 of title 5 of the U.S. Code; to the Committee on Post Office and Civil Service.

2644. A letter from the Secretary of Transportation, transmitting the priority primary route cost study report, pursuant to 23 U.S.C. 147(c); to the Committee on Public Works and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. SULLIVAN: Committee on Merchant Marine and Fisheries. H.R. 15540. A bill to extend for two years the authorization for appropriations to implement title I of the Marine Protection, Research, and Sanctuaries Act of 1972; with amendments (Report No. 93-1269). Referred to the Committee of the Whole House on the State of the Union.

Mr. McFALL: Committee of Conference. Conference report on H.R. 15405 (Report No. 93-1270). Ordered to be printed.

Mr. LONG of Louisiana: Committee on Rules. House Resolution 1304. A resolution providing for the consideration of H.R. 5529. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for the fiscal years 1974, 1975, and 1976, to provide for the recall of certain defective motor vehicles without charge to the owners thereof, and for other purposes. (Report No. 93-1271). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 1305. A resolution providing for the consideration of H.R. 15977. A bill to amend the Export-Import Bank Act of 1945, and for other purposes. (Report No. 93-1272). Referred to the House Calendar.

Mr. MURPHY of Illinois: Committee on Rules. House Resolution 1306. A resolution providing for the consideration of S. 1728. An act to increase benefits provided to American civilian internees in Southeast Asia. (Report No. 93-1273). Referred to the House Calendar.

Mr. EVINS of Tennessee: Committee of Conference. Conference Report on H.R. 15155. (Report No. 93-1274). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of North Carolina (for himself, Mr. Moss, Mr. ECKHARDT, Mr. HELSTOSKI, Mr. BRECKINRIDGE, Mr. DINGELL, Mr. ADAMS, Mr. MCCOLLISTER, and Mr. CARNEY of Ohio):

H.R. 16327. A bill to provide minimum disclosure standards for written consumer product warranties against defect or malfunction; to define minimum Federal content standards for such warranties; to amend the Federal Trade Commission Act in order to improve its consumer protection activities; to authorize appropriations for the Federal Trade Commission for fiscal years 1975, 1976, and 1977; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of North Carolina:

H.R. 16328. A bill to amend title 38 of the United States Code to increase the income limitations relating to the payment of pension and dependency and indemnity compensation and to provide supplemental pension payments to certain veterans; to the Committee on Veterans' Affairs.

By Mr. ASPIN:

H.R. 16329. A bill to authorize the Commissioner of Education to make grants for teacher training, pilot and demonstration projects, and comprehensive school programs, with respect to health education and health problems; to the Committee on Education and Labor.

By Mr. MILLS (for himself) and Mr. CAREY of New York):

H.R. 16330. A bill to provide additional fiscal assistance to local governments and to extend revenue sharing for local governmental units for 2 additional years; to the Committee on Ways and Means.

By Mr. GUNTER (for himself, Mr. HALEY, Mr. CHAPPELL, Mr. GIBBONS, Mr. HARRINGTON, Mr. KYROS, Mr. STUDDS, Mr. MOAKLEY, and Mr. WOLFF):

H.R. 16331. A bill making a supplemental appropriation for the Department of Health, Education, and Welfare for the fiscal year ending June 30, 1975, to provide funds to conduct a study of the effects of the red tide on human health; to the Committee on Appropriations.

By Mr. KARTH (for himself and Mr. BIAGGI):

H.R. 16332. A bill to amend section 5051 of the Internal Revenue Code of 1954 (relating to the Federal excise tax on beer); to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 16333. A bill to amend the Merchant Marine Act, 1936, in order to permit nationals of the United States to serve as officers and crew aboard vessels documented under laws of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MOAKLEY:

H.R. 16334. A bill to amend the Small Business Act to assist in the financing of small business concerns owned by persons who are disadvantaged because of certain social or economic considerations; to the Committee on Banking and Currency.

H.R. 16335. A bill to amend the Fair Labor Standards Act of 1938, to require prenotification to affected employees and communities of dislocation of business concerns, to provide assistance (including retraining) to employees who suffer employment loss through the dislocation of business concerns, to business concerns threatened with dislocation, and to affected communities, to prevent Federal support for unjustified dislocation, and for other purposes; to the Committee on Education and Labor.

H.R. 16336. A bill to designate the birthday of Martin Luther King, Junior, as a legal public holiday; to the Committee on the Judiciary.

H.R. 16337. A bill to provide property tax relief to low-income elderly homeowners through direct reimbursements; to the Committee on Ways and Means.

H.R. 16338. A bill to promote the development of an open, nondiscriminatory, and fair world economic system, to stimulate the economic growth of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. NICHOLS (for himself, Mr. BEVILL, Mr. BUCHANAN, Mr. DICKINSON, Mr. EDWARDS of Alabama, Mr. FLOWERS, and Mr. JONES of Alabama):

H.R. 16339. A bill to designate the new Forest Service laboratory at Auburn, Ala., as the "George W. Andrews Forestry Sciences Laboratory"; to the Committee on Agriculture.

By Mr. SEBELIUS (for himself, Mr. ABDNOR, Mr. BLACKBURN, Mr. BUCHANAN, Mr. CAMP, Mr. FREY, Mr. GAYDOS, Mr. HASTINGS, Mrs. HECKLER of Massachusetts, Mr. KETCHUM, Mr. LONG of Maryland, Mr. MCSPADDEN, Mr. MARTIN of North Carolina, Mr.

MILFORD, Mr. MONTGOMERY, Mr. PRICE of Texas, Mr. ROSTENKOWSKI, Mr. SHRIVER, Mr. SKUBITZ, Mr. STEELMAN, Mr. THONE, Mr. TAYLOR of Missouri, Mr. WALSH, Mr. WINN, and Mr. YOUNG of Alaska):

H.R. 16340. A bill to authorize and direct the Secretary of the Interior to conserve and store helium; to the Committee on Interior and Insular Affairs.

By Mr. WALSH (for himself, Mr. MCSPADDEN, Mr. YATES, Mr. DERWINSKI, Mr. MAZZOLI, Mr. NIX, Mr. STRATTON, Mr. CONYERS, Mr. BADILLO, Mr. WON PAT, Mrs. GRASSO, Mr. MITCHELL of Maryland, Mr. PRICE of Illinois, Mr. HELSTOSKI, Mr. STARK, Mr. HUDNUT, Mrs. COLLINS of Illinois, Mr. PEPPER, Mr. MURPHY of New York, Mr. FAUNTROY, Mr. EDWARDS of California, Mr. FRENZEL, Mr. MATSUNAGA, Mr. ROE, and Mrs. HOLT):

H.R. 16341. A bill to provide for the issuance of a special postage stamp in commemoration of the life and work of Harriet Tubman; to the Committee on Post Office and Civil Service.

By Mr. WALSH (for himself, Ms. HOLTZMAN, Mr. DE LUGO, Mr. MOAKLEY, Mrs. CHISHOLM, and Mrs. BURKE of California):

H.R. 16342. A bill to provide for the issuance of a special postage stamp in commemoration of the life and work of Harriet Tubman; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN (for himself and Mr. HAMILTON):

H.R. 16343. A bill to authorize U.S. payment to the United Nations for expenses of the United Nations peacekeeping forces in the Middle East, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DON H. CLAUSEN:

H.R. 16344. A bill to amend title 38 of the United States Code to increase the income limitations relating to the payment of pension and dependency and indemnity compensation and to provide supplemental pension payments to certain veterans; to the Committee on Veterans' Affairs.

By Mr. CRANE:

H.R. 16345. A bill to provide for an audit by the General Accounting Office of all gold owned by the United States; to the Committee on Banking and Currency.

By Mr. CRONIN:

H.R. 16346. A bill to confer U.S. citizenship on certain Vietnamese children and to provide for the adoption of such children by American families; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 16347. A bill to support the construction of a memorial building at the Hoover Institution on War, Revolution, and Peace as a memorial to Herbert Hoover; to the Committee on House Administration.

By Mr. GUNTER:

H.R. 16348. A bill to require institutions of higher education receiving Federal funds to report to the Commissioner of Education with respect to any funds received by such institutions from foreign sources; to the Committee on Education and Labor.

By Mr. MARAZITI:

H.R. 16349. A bill to amend the Federal Election Campaign Act of 1971 to provide for an independent Federal Elections Commission, and for other purposes; to the Committee on House Administration.

By Mr. RAILSBACK:

H.R. 16350. A bill to extend the deadline for application for certain loans under the Consolidated Farm and Rural Development Act; to the Committee on Agriculture.

H.R. 16351. A bill to amend the Emergency Daylight Saving Time Energy Conservation Act of 1973 to exempt from its provisions the period from the last Sunday in October 1974, through the last Sunday in February 1975; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS:

H.R. 16352. A bill to amend the Marine Mammal Protection Act of 1972 to prohibit the intentional killing or injuring of marine mammals pursuant to permits authorizing the taking of such mammals incident to commercial fishing operation, to extend the authorizations for commercial fisheries gear development for 2 years, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. STEIGER of Wisconsin:

H.R. 16353. A bill to reduce the duty on aspen wood for wood particle board; to the Committee on Ways and Means.

By Mr. FASCELL (for himself, Mr. FRELINGHUYSEN, Mr. DERWINSKI, Mr. FOUNTAIN, and Mr. PARRIS):

H. Res. 1301. Resolution expressing to foreign nations the determination of the House of Representatives to insure continuity in U.S. foreign policy; to the Committee on Foreign Affairs.

By Mr. FROEHLICH (for himself and Mr. BOB WILSON):

H. Res. 1302. Resolution creating a select committee to study the impact and ramifications of the Supreme Court decisions on abortion; to the Committee on Rules.

By Mr. REID (for himself, Mrs. CHISHOLM, Mr. MILFORD, Mr. MITCHELL of Maryland, Mr. NIX, Mr. RODINO, Mr. WHITE, Mr. CHARLES WILSON of Texas, Mr. WINN, and Mr. WON PAT):

H. Res. 1303. Resolution to affirm support of U.S. foreign policies; to the Committee on Foreign Affairs.

By Mr. BUCHANAN:

H. Con. Res. 587. Concurrent resolution expressing the sense of the Congress that Richard M. Nixon be granted immunity from prosecution for certain alleged offenses against the United States; to the Committee on the Judiciary.

By Ms. COLLINS of Illinois (for herself and Mr. RANDALL):

H. Con. Res. 588. Concurrent resolution expressing the sense of Congress concerning unclaimed bonds that are being kept by the Department of the Treasury for veterans; to the Committee on Ways and Means.

By Mr. MILFORD:

H. Con. Res. 589. Concurrent resolution to censure President Richard M. Nixon; to the Committee on the Judiciary.

By Mr. PATMAN (for himself, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. MOORHEAD of Pennsylvania, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. GETTYS, Mr. ANNUNZIO, Mr. REES, Mr. HANLEY, Mr. KOCH, Mr. COTTER, Mr. MITCHELL of Maryland, Mr. FAUNTROY, Mr. YOUNG of Georgia, Mr. MOAKLEY, Mr. STARK, and Mrs. BOGGS):

H. Con. Res. 590. Concurrent resolution requesting the President to use his power under the Credit Control Act to control inflation and allocate credit; to the Committee on Banking and Currency.

By Mrs. SCHROEDER (for herself, Mr. DERWINSKI, Mr. CORMAN, Mr. WON PAT, Mr. SEBELIUS, Mr. CAREY of New York, Mr. FASCELL, Mr. PHILLIP BURTON, Mr. RIEGLE, Mr. ROONEY of Pennsylvania, Mr. ROYBAL, Mr. RUNNELS, Mr. ROE, Ms. ABZUG, Mr. MOAKLEY, Mr. BELL, Mr. RANGEL, Mr. MURPHY of New York, Mr. BINGHAM, Ms. JORDAN, Mr. STARK, Mr. BENITEZ, Mr. DELLUMS, Mr. SEIBERLING, and Mrs. BURKE of California):

H. Con. Res. 591. Concurrent resolution to provide for the printing of copies of the Constitution of the United States in Spanish; to the Committee on House Administration.

By Mrs. SCHROEDER (for herself, Mr. ROSENTHAL, Mr. YOUNG of Georgia, Mr. BADILLO, Mr. PEPPER, Mr. WALDIE, Mr. PICKLE, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. BROWN of California, Mr. RONCALIO of Wyoming, Mr. MURPHY of Illinois, Mr. UDALL, Mr. CHARLES H. WILSON of California, Mr. JOHN L. BURTON, Mr. NIX, Mr. SYMINGTON, Mr. THOMPSON of New Jersey, Mr. MCSPADDEN, Mr. MCCLOSKEY, Mr. STOKES, Mr. GONZALEZ, Mr. FAUNTROY, Mr. O'BRIEN, and Mr. RODINO):

H. Con. Res. 592. Concurrent resolution to provide for the printing of copies of the Constitution of the United States in Spanish; to the Committee on House Administration.

By Mrs. SCHROEDER (for herself, Mr. LEHMAN, Mrs. BOGGS, Mr. MATSUNAGA, Mr. MOSS, Mr. MCKINNEY, Mr. CONTE, Ms. HOLTZMAN, Mr. RYAN, Mr. ANDERSON of California, and Mr. MOSHER):

H. Con. Res. 593. Concurrent resolution to provide for the printing of copies of the Constitution of the United States in Spanish; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. STARK introduced a bill (H.R. 16354) to authorize the President of the United States to present in the name of Congress a Medal of Honor to Brig. Gen. Charles E. Yeager; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

466. By the SPEAKER: Petition of the City Council, Corpus Christi, Tex., relative to the allocation and pricing of natural gas; to the Committee on Interstate and Foreign Commerce.

467. Also, Petition of Erin Keefe, Alexandria, Va., and others, relative to impeachment of the President; to the Committee on the Judiciary.