

UNITED STATES



OF AMERICA

U.S. Congress.

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93^d CONGRESS
FIRST SESSION

VOLUME 119—PART 20

JULY 20, 1973 TO JULY 27, 1973

(PAGES 25051 TO 26424)

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 name and address of the person seeking approval and making the expenditure.

"(c) No political party shall have more than one national committee."

On page 48, line 2, strike "316." and insert "317."

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

The ACTING PRESIDENT pro tempore. Under the previous conditions, without objection, it is so ordered, and the clerk will call the roll.

Mr. COOK. Mr. President, I ask unanimous consent that the time be equally divided and taken from the time on the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

A CORRECTED EXPLANATION

Mr. MONDALE. Mr. President, I ask unanimous consent that a corrected version of the detailed explanation of the Mondale-Schweiker Presidential Campaign Financing Act of 1973 (S. 2238) which originally appeared on page 25603 of the July 24 RECORD, be printed in the RECORD at this point, and that the final bound version of the July 24 RECORD be corrected to conform with it.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess, awaiting the call of the Chair.

The motion was agreed to; and, at 11:12 a.m., the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 11:25 a.m., when called to order by the Presiding Officer (Mr. CLARK).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending amendment by the Senator from Kentucky (Mr. COOK) be laid aside temporarily and that the Chair recognize the distinguished Senator from Minnesota (Mr. MONDALE) for the purpose of offering an amendment in lieu of the Cook amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from Minnesota.

Mr. MONDALE. Mr. President, I thank the majority leader for his courtesy.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MONDALE. Mr. President, I ask unanimous consent that the further reading of the amendment be dispensed with, and that the amendment be printed in the RECORD.

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

The amendment is as follows:

On page 16, after line 18, insert the following new paragraph:

"(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);'."

On page 21, line 1, strike out "paragraphs (2), (9), and (10)" and insert in lieu thereof "paragraphs (9) and (10)".

On page 21, strike out lines 4 through 8, and insert in lieu thereof:

"(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.'"

Mr. MONDALE. Mr. President, I ask unanimous consent that the distinguished Senator from Illinois (Mr. STEVENSON) and the distinguished Senator from Maryland (Mr. MATHIAS) be added as co-sponsors of the amendment.

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

Mr. MONDALE. Mr. President, S. 372 contains many useful reforms, but there is one provision in the bill which I think represents an unfortunate retreat from the full disclosure requirements of the Federal Election Campaign Act of 1971. The bill eliminates the requirement that the occupation and place of business of those persons who contribute more than \$100 be reported and publicly disclosed.

Our amendment restores this requirement for contributions of over \$100.

S. 372 also eliminates the requirement that occupation and place of business be recorded for contributions of between \$10 and \$100. This part of the committee's action is reasonable, since contributions of \$100 or less need not be reported, and our amendment would leave this modification intact.

The value of full disclosure for large contributions of over \$100 far outweighs any moderate inconvenience candidates and contributors may suffer.

Mr. President, I have just completed my own campaign for reelection. The present law requiring disclosure of this information was in effect during my campaign and I complied fully with that requirement. It did involve some additional cost and in some cases some inconvenience, but I think it was well worth it because the public needs to know the relevant information about the source of campaign contributions. If campaign disclosure laws mean anything this information is essential so that the public may decide, among other things, on the wisdom and advisability of such contributions. The amount and the source should be made available in a way that the news media may quickly and efficiently report such information to the American public. If this information is made difficult to obtain because it is not disclosed in the official reports required of us when we run for election the news media will be put to an inconvenience and difficulty which is virtually insurmountable. For that reason I feel that the current provisions of the law which applied to contributors of over \$100 in the last campaign should be continued, and my amendment seeks to do so.

The news is filled every day with stories of corporations and their employees

being pressured into contributing to campaigns. It has been alleged, for example, that this administration compiled a list of corporations in trouble with the Government, seeking favors from it, or regulated by it. These corporations, the allegations state, were then assigned "quotas" of \$50,000 or \$100,000 to be contributed to the campaign. In many cases, apparently, these quotas were filled by contributions from corporate executives, but in at least one case, that of American Airlines, and now a second case, that of the Ashland Oil Co., corporate funds were contributed in violation of the law. Even when executives make contributions with their own funds, it sometimes happens that they are reimbursed with bonuses, salary increases, or padded expense accounts—which the corporation can then deduct on its tax return.

Furthermore, as American Airlines board chairman George A. Spater pointed out in acknowledging American's illegal \$55,000 contribution to the Nixon campaign:

The corporation . . . is usually the target of the solicitation and usually receives the political credit for the contributions that are made.

Mr. Spater has well described the atmosphere of this activity:

Under the existing laws [he said], a large part of the money raised from the business community for political purposes is given in fear of what would happen if it were not given.

We often talk in terms of how Government is compromised in this way by huge corporate contributors, and I think that is a very, very serious problem, but I think it is also true that increasingly the business community is getting sick of being shaken down in this way. Indeed, Mr. Spater, chairman of the board of American Airlines, in making disclosure of the illegal corporate contributions, went on to say, "We have got to stop the present system." I do not have his exact language at the present time, but he made it very clear that the time has come to get rid of the present system, which not only involves the potential for shakedown but also, if they are any kind of responsible business leaders, they do resent this process and they too have a deep concern for the best interests of our country, and I do not think they like the system any better than the rest of us.

So, under the growing, corrupting influence of the present system of private funding of campaigns, we have seen in almost hideous form the abuses that can occur, and we now see the business community concerned about the future of this country itself speaking out and pleading for campaign funding reform because they, too, are victimized by the current system.

In light of all of this, it is difficult to contend that the occupation and place of business of those making large contributions is irrelevant and need not be reported.

The other day, H. L. Mencken was quoted as saying conscience is often aroused by the knowledge that what you are doing may become known, and I think public disclosure of all contributions made in a way that the public will quickly and easily understand by whom

and why they were made will have a very sobering impact on the conscience of those giving and those taking contributions for political purposes.

If 20 executives of a large corporation all contribute on the same day to a candidate, is not their corporation affiliation important? If a corporation gets a favorable government decision in a controversial case, is not the public entitled to know how much its executives contributed and to whom?

There is much in S. 372 that I think bears strong support, and I support the general thrust of the campaign reform provisions that the committee has developed, and I commend it for its work, but this one particular step I think was unwise, and it has been so viewed among independent commentators.

The editorial reaction to this provision of S. 372 has been uniformly negative.

The Wall Street Journal—which I think we can concede is a source of probity and responsibility in America—said this on July 11:

We now learn that the Senate Rules Committee has moved to water down [the disclosure requirements of the 1971 Act], a prospect that could scarcely seem less appropriate. If anything, the requirements should be strengthened.

We know the Wall Street Journal speaks for the American business community.

On the same day, the New York Times called the committee action "astounding," saying:

Undoubtedly, the existing requirement is now somewhat burdensome to campaign treasurers, but once it is widely known, it will become a matter of simple routine. It is no more onerous for the contributor than providing identification to get a check cashed. If addresses and occupations are not listed, the reports on contributions become much less meaningful.

An editorial in the July 13 Washington Post referred to the weakening of the disclosure laws as "astonishing" in the light of the American Airlines revelations.

Mr. President, this amendment, as I pointed out earlier, is cosponsored by the Senator from Illinois (Mr. STEVENSON) and the Senator from Maryland (Mr. MATHIAS). They, too, have pointed out that this amendment is essential if the American public is to be given the information they need to illuminate them as to the sources and the amounts of campaign contributions accepted by politicians seeking public office.

I note that the floor manager is not on the floor at this time. I understand he is testifying before a committee. I wonder if it is the wish of the leadership that we withhold further action on this amendment until the floor manager returns.

Mr. MANSFIELD. Yes, indeed. May I say to the Senator that the distinguished manager of the bill and the ranking Republican member are both absent because of official commitments before committees and in committees in which they have to be at the present time. So the leadership would appreciate the Senator's withhold any action at this time

until the manager of the bill and his associate on the other side can be given a chance to answer.

Mr. MONDALE. Very well. Mr. President, I ask unanimous consent that Mr. James Verdier, of my staff, have the privileges of the floor during the course of this bill.

Mr. ROBERT C. BYRD. Not including rollcalls?

Mr. MONDALE. Not including rollcalls.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and at 11:39 a.m. the Senate took a recess subject to the call of the Chair; whereupon, at 11:54 a.m. the Senate reassembled when called to order by the Presiding Officer (Mr. CLARK).

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 372) to amend the Communications Act of 1934 to relieve broadcasters of the equal time requirement of sec. 315 with respect to Presidential and Vice Presidential candidates and to amend the Campaign Communications Reform Act to provide further limitation on expenditures in election campaigns for Federal elective office.

AMENDMENT NO. 423

Mr. ROBERT C. BYRD. Mr. President, I have an amendment which I send to the desk for printing.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. ROBERT C. BYRD. Having discussed this amendment with the distinguished ranking Republican Member (Mr. Cook), I ask unanimous consent that tomorrow morning, immediately upon the resumption of the unfinished business by the Senate, my amendment be called up, and that there be a 30-minute time limitation thereon, to be equally divided in accordance with the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. COOK. No objection.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. COOK. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and at 11:55 a.m. the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 11:58 a.m., when called to order by the Presiding Officer (Mr. CLARK).

DEPARTMENT OF TRANSPORTATION APPROPRIATIONS—UNANIMOUS-CONSENT AGREEMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Saturday next, immediately following the recognition of the two leaders or their designees under the standing order, the Senate proceed to the consideration of the Department of Transportation appropriation bill.

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

Mr. ROBERT C. BYRD. I ask unanimous consent that upon the disposition of that bill on Saturday, the Senate resume its consideration of the unfinished business (S. 372), if that business has not been disposed of prior to that time.

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

QUORUM CALL

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

The PRESIDING OFFICER. On whose time?

Mr. COOK. The time to be equally divided, on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. STEVENSON). Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate go into executive session for not to exceed 2 minutes.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

Mr. GOLDWATER. Mr. President, from the Committee on Armed Services, I report favorably the following nominations:

Major General Elvy Benton Roberts to be lieutenant general in the Army.

Lieutenant General Patrick Cassidy, USA, to be retired in that grade.

Major General Allen Mitchell Burdett, Jr., to be lieutenant general in the Army.

Brigadier General William McGilvery Buck and Brigadier General Evan Albert Turnage to become major generals in the Army National Guard.

Rear Admiral Oliver H. Perry, Jr., to be vice admiral as Chairman, Inter-American Defense Board.

J. William Middendorf II, of Connecticut, to be Under Secretary of the Navy.

Mr. President, the Armed Services Committee unanimously reported these nominations, and I ask for their immediate consideration.

Mr. ROBERT C. BYRD. Mr. President, is it my understanding that the distinguished chairman of the committee, the senior Senator from Missouri (Mr. SYMINGTON), approves the immediate consideration and approval of these nominations?

Mr. GOLDWATER. That is correct. The committee is still sitting in session, and I broke away to put these in so that we could get the nominations confirmed at a time proper.

Mr. ROBERT C. BYRD. Yes. I believe I understood the Senator from Arizona (Mr. GOLDWATER) to say that all these nominations have been unanimously reported by the committee.

Mr. GOLDWATER. That is correct. They are routine.

Mr. ROBERT C. BYRD. I have no objection to the immediate consideration of these nominations.

The PRESIDING OFFICER. The nominations which the Senator from Arizona has just reported will be stated.

The second assistant legislative clerk proceeded to read the nominations.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT FROM FRIDAY, JULY 27, 1973, TO 9 A.M. ON SATURDAY, JULY 28, 1973

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, when the Senate completes its business on Friday next, it stand in adjournment until 9 a.m. on Saturday, July 28, 1973.

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

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that it may be in order to order the yeas and nays on my amendment No. 423 at any time.

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

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk

The second assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR THE SENATE TO CONVENE AT 10 A.M. ON MONDAY NEXT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, when the Senate meets on Monday next, it meet at the hour of 10 a.m.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, following the recognition of the two leaders or their designees under the standing order, there be a period for the transaction of routine morning business of not to exceed 10 minutes, with statements therein limited to 5 minutes.

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

REHABILITATION ACT OF 1973

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 8070.

The PRESIDING OFFICER (Mr. STEVENSON) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 8070) to authorize grants for vocational rehabilitation services, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ROBERT C. BYRD. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Messrs. RANDOLPH, CRANSTON, WILLIAMS, PELL, KENNEDY, MONDALE, HATHAWAY, STAFFORD, TAFT, SCHWEIKER, and BEALL conferees on the part of the Senate.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 372) to amend the Communications Act of 1934 to relieve broadcasters of the equal time requirement of section 315 with respect to presidential and vice presidential candidates and to amend the Campaign Communications Reform Act to provide further limitation on expenditures in election campaigns for Federal elective office.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time not be charged against either side.

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

The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

Mr. COOK. Mr. President, I ask unanimous consent that the Mondale amendment, which is the pending business, be temporarily laid aside. I ask unanimous consent that my amendment, No. 385, be placed in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 385

Mr. COOK. Mr. President, one of the major problems in recent national elections has been the proliferation of committees to raise campaign funds on behalf of Presidential and Vice Presidential nominees of the respective political parties.

The establishment of such an infinite number of campaign committees has made the enforcement of our existing campaign laws virtually impossible.

It was for this reason that I offered in the Commerce Committee an amendment to S. 372, the Federal Election Campaign Act of 1973, which provided that all expenditures of more than \$100 made on behalf of a candidate for President or Vice President must be approved by the national committee of the candidate's respective political party. I was very much pleased that the amendment was approved unanimously by the Commerce Committee and was included as section 314 of the bill S. 372 which was referred by the Commerce Committee to the Rules Committee.

During the deliberation of the Rules Committee, this crucial provision was deleted. The amendment as modified which we are now considering would return the provision to the bill except that the amount has been changed from \$100 to \$1,000.

This amendment will require that regardless of how many political committees are set up to influence the election of a nominee for President or Vice President, the party's national committee must approve all expenditures in excess of \$1,000 regardless of which campaign committee seeks to make the expenditure.

Mr. President, I believe that the final responsibility for how the campaign funds are spent must rest with one national committee rather than the many obscure campaign committees that are now created to receive and expend funds. It is my opinion that if the campaign spending restrictions and reporting requirements are ever to be truly effective there must be one and only one committee which is ultimately responsible for campaign expenditures. All of us have

been living with a situation which was created last year when a requirement of this nature was nonexistent. It is hoped that by adopting this amendment we can preclude the reoccurrence of such activities as those which evolved last year with regard to the Committee To Reelect the President.

I might suggest that on my own motion I made a modification of my amendment to increase the figure of \$100 to a figure of \$1,000. This was done in consultation with a number of Senators, including the distinguished Senator from Rhode Island.

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

Mr. COOK. I yield.

Mr. PASTORE. Mr. President, I want the record to show that when the amendment was advanced to our committee—that is, the Committee on Commerce—it was exhaustively discussed, and we felt that it was a good idea. I hope that the amendment will be accepted. The amendment actually, in essence, will make the national committee responsible for the money once a candidate receives the nomination of his convention or of his national party for the office of President or Vice President.

It is as simple as that, Mr. President. I think it concentrates it, and the experience we had with the so-called Committee to Reelect the President of the United States has embarrassed everyone in Washington and everyone else in the country.

I think it is a fine amendment, and I hope that it will be accepted.

Mr. COOK. Mr. President, I thank the distinguished senior Senator from Rhode Island. I would like to make an explanation as to why we increased the figure from \$100 to \$1,000.

It was felt in discussion that there are daily, weekly, and monthly operating expenses of a Presidential campaign in each of the 50 States—the payment of rent on the headquarters, the payment of telephone bills, the payment of ordinary operating expenses, electricity, and so forth.

So, we found ourselves in a position where we were placing a tremendous burden on each State Presidential campaign headquarters to receive, really, an agency agreement from the national committee that those expenses could be obligated and paid for. And it was decided that this figure would meet these requirements. And when we go above this figure, we then go into many fields—the purchase of time, the purchase of ads, and so forth—which really ought to be approval of the national committee.

Mr. President, I have no further comments to make on the amendment. I hope that the amendment will be accepted in its present form.

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

The PRESIDING OFFICER (Mr. STEVENSON). The Senator from Nevada is recognized for 2 minutes.

Mr. CANNON. Mr. President, when this amendment was originally considered in the Committee on Rules and Administration, I opposed it, because

the figure was limited to total expenditures in excess of \$100.

I felt that it was not reasonable to assume that the national committee should be involved in having to approve every expenditure in excess of \$100 all over the country during a campaign.

Now that the amendment has been modified to use the figure \$1,000, I think it is a realistic amendment. I am completely in support of the objective of the amendment, which is to eliminate, as the distinguished senior Senator from Rhode Island has said, the sort of situations which we have had develop in the Watergate situation hearings.

I think it would be a very good amendment, and with the \$1,000 limitation now contained in the amendment, it is realistic so that it will not involve the committees in more administrative details other than the conduct of the campaign.

I am willing to accept the amendment.

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

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

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Kentucky. (Putting the question.)

The amendment was agreed to.

Mr. COOK. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now recurs on the Mondale amendment No. 382.

Mr. MONDALE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. ROBERT C. BYRD. Mr. President, for the information of the Senate, is it the intention of the distinguished Senator from Minnesota to ask for the yeas and nays?

Mr. MONDALE. It is. I would like to have the yeas and nays. And I think that we might have them in 10 or 15 minutes. However, I am not sure of that as I do not know whether the Senator from Illinois (Mr. PERCY) wishes to discuss the matter more fully or might have amendments to the amendment.

Mr. ROBERT C. BYRD. Mr. President, I thank the Senator.

Mr. MONDALE. Mr. President, as pointed out earlier in the discussion today, the amendment is cosponsored by the distinguished Senator from Illinois (Mr. STEVENSON) and the distinguished Senator from Maryland (Mr. MATHIAS).

The amendment is designed, in effect, to restore the existing law which requires that the candidate must list in his official public record the name of the donor, his business address, and his business occupation with respect to all contributions in excess of \$100.

The committee in recommending what I think is essentially the very strong bill which is now pending before the Senate repealed that provision of the law which

requires the listing of business occupation. I believe that is a mistake. The key element we are all seeking to achieve here is public disclosure so that the public might know the essential elements involved and who is giving to a candidate and how much he is giving to a candidate so that the public might know something about the purpose and source of such contributions.

Our whole objective ought to be—and I think is—to make that information not only publicly available, but also to make it available in such form that anyone who wishes to look at it may do so and so that the news media who might wish to report upon it can quickly and in the most meaningful way provide the information to the American public so that the American public and the voters can base a responsible judgment upon the campaign fund sources.

Mr. President, I recently completed my own campaign for reelection, during which time the existing provisions of the law requiring such disclosures were in effect. To some degree it was onerous. However, it was not too difficult to comply with the requirement and supply this information and report it publicly.

Mr. COOK. Mr. President, if the Senator will yield, might I say that I am sorry that we on the committee did not have the foresight of the Senator from Minnesota. The reason that we got into the discussion was the fact that under the present law, as the Senator knows, it is \$10 or more. This would cause a great deal of paperwork and a great deal of reporting and research to meet this requirement. On that basis, our debate on this matter was based on the \$10 limitation.

I might suggest, at least, from that viewpoint, that I have no objection to the amendment on the basis of \$100 or more, because I think that then we are getting into the realm of understandability and the fact that the public really does have the right to know.

If we get to the point where the amount is in excess of \$100, then I find no objection at all to the Senator's amendment.

Mr. MONDALE. Mr. President, I am greatly encouraged by the Senator's remarks. I support the committee's effort which seeks to do away with that requirement on contributions of \$100 or less. Obviously, if we are talking about running down this information and disclosing contributions of \$5, \$10, or \$20, it is very difficult and very expensive. We are not worried about the \$10 contributors. However, we are worried about the contributions in an amount which raise some suspicion about the donor and what one expects if the candidate is reelected.

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

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, if the Senator would yield, I think that the Senator from Minnesota has put his finger on the crux of the problem, and that is that we did not want to interfere in a case in which an individual citizen makes a contribution anonymously. Anyone who makes a contribution of \$100, any-

one could bet his bottom dollar that that person wants the world to know that he made that contribution.

Mr. MONDALE. Mr. President, he wants the candidate to know. However, he does not always want the world to know.

Mr. PASTORE. Mr. President, from now on, after the Watergate situation, he wants the world to know it, or he should.

Mr. MONDALE. The Senator makes a good point. I pointed out earlier today that when the chairman of the board of the American Airlines publicly disclosed an illegal contribution, he pointed out, in effect, that he was almost shaken down. They had a merger pending.

He said:

Not only do I regret this, but as a business man, I think it is time for the business world to demand that something be done, because we are being victimized, along with everyone else.

There is a growing consensus in America that this is needed to protect the country.

Mr. CANNON. Mr. President, if the Senator from Minnesota will yield, I would agree with the Senator from Minnesota if he would eliminate the word "almost." The Senator said that this was almost a shakedown of the American Air Lines. I think that it was a shakedown.

I think this is the sort of thing we want to avoid. The reason the committee took the language out, as the distinguished Senator from Kentucky pointed out, was that we had had some experience with the law, and we found a lot of difficulties, as reported by a number of candidates, where for \$10 or more—with a \$20 contribution, for example—you had to get the occupation and business address of a man.

Well, a \$10, \$20, or \$100 contribution are not the ones that really should be looked at with suspicion, if any of them should.

But if you have a fundraising dinner, and you are trying to sell tickets, the candidate is trying to sell tickets to his dinner, maybe it is a \$50 fundraiser dinner, and the person trying to sell the tickets says, "I cannot sell you this ticket unless I have your occupation and your principal place of business," it really serves no useful purpose. It does accumulate a lot of useless information that we have stored in rooms downstairs, and as chairman of the Rules Committee I am trying to find room right now to store a lot of this information that no one in the world will ever look at in the future.

I agree that there should be a cutoff date. This was not suggested in the committee. As long as the Senator has proposed his amendment now to make it over \$100, I would be willing to accept that amendment. I think it is a good one. I think those are the types of contributions we ought to be concerned about, and have the necessary information on. But as I say, unfortunately no one presented such a suggestion to us in the hearings before the committee.

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

Mr. MONDALE. I am delighted to yield to the Senator from Rhode Island.

Mr. PASTORE. This whole thing boils down to the matter of identity, so that in the future it can be determined whether or not the candidate is being influenced in any way. That is the purpose of this bill to begin with. Anyone who is contributing less than \$100 is not apt to do it because he wants to influence anyone. But when they collect over \$100, I think the public ought to be entitled to know who gave it, with his name, his address, his business location, if he has one, and his occupation if it can be determined.

Mr. MONDALE. And under this amendment we require that the public records disclose the business occupation, because we want the information presented in such a way that newsmen covering the story or anyone in the public wishing to check it quickly and find out the source of the contribution, the address of the donor, and his business occupation can do so, so that if there is some connection between a donation and one's performance in public office, or there is suspicion about it, the public would be free to obtain that information, and it would be presented in a way so that the public would know immediately.

Mr. PASTORE. To go a step further—and I think the Senator is correct—he mentioned the case of American Airlines. Of course, what they did was absolutely wrong, and was in violation of the law, because that was a contribution made by the corporation, which is prohibited by law.

But let us assume that the President of American Airlines, whoever he happens to be, John Doe, lives at such and such an address. I do not think that is sufficient identification, but if you see John Doe, who is president of American Airlines, and his office address is such and so and his home address is such and so, you know pretty much that the president of American Airlines is making the contribution, and not John Doe, period.

Mr. MONDALE. We keep referring to American Airlines; perhaps we are being a little unfair. Let us take another situation. Suppose we take the president of Corporation A. He calls in his 100 top executives, and says, "I would like each of you to give \$100 to this candidate, Candidate B." We are going to have this, obviously, and as the distinguished floor manager has pointed out—and the ranking minority member also agrees with it—it would be possible for those hundred executives simply to file their name and address; and if you looked at the public record, unless you were very familiar with that corporation, you would not know that all of them worked for the same company.

Under my amendment, each of them would have to list their name and address and their business occupation, so that it would be very clear to anyone reading the record that on such and such a date, or within the same period, 100 people, top executives of the same corporation, made these contributions.

Those are hot facts. In other words,

there are cold facts and there are hot facts. The hot facts are the meaningful questions: how much is coming from whom, and when?

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

Mr. MONDALE. I yield.

Mr. CANNON. I also point out to the Senator that in the bill we give the commission which we established here—which the Senate approved before and the House did not go along with—the authority to establish such additional rules and regulations with respect to reporting as they may deem advisable, because this will be their responsibility, to be able to determine where these funds came from. So it is not even precluded by the Senator's amendment, that that is all that has to be done, because we do give the commission additional authority in that area.

Mr. MONDALE. And by centralizing all this information in one spot, and putting it into an independent commission, together with this amendment, we have a much stronger institutional and legal framework for assuring the American public that they will know precisely who gave how much, and from what source.

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

The PRESIDING OFFICER. On whose time?

Mr. CANNON. If the Senator is ready to vote, I am willing to yield back the remainder of my time.

Mr. MONDALE. I believe the Presiding Officer (Mr. STEVENSON) would like to speak on this amendment.

Mr. PASTORE. No, he does not want to.

Mr. CANNON. Mr. President, I suggest the absence of a quorum on my time.

The PRESIDING OFFICER (Mr. ROBERT C. BYRD). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. MONDALE. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Illinois (Mr. PERCY) be added as a cosponsor of the amendment.

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

Mr. MONDALE. And I yield back the remainder of my time.

Mr. CANNON. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. ROBERT C. BYRD). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Minnesota (Mr. MONDALE). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.
Mr. ROBERT C. BYRD. I announce that the Senator from Mississippi (Mr. EASTLAND), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Louisiana (Mr. JOHNSTON), the Senator

from New Hampshire (Mr. McINTYRE), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from South Dakota (Mr. ABOUREZK) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from New Hampshire (Mr. McINTYRE) would vote "yea".

Mr. GRIFFIN. I announce that the Senator from New Hampshire (Mr. CORTON) is absent because of illness.

The Senator from Nebraska (Mr. CURTIS) is necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

If present and voting, the Senator from Nebraska (Mr. CURTIS) would vote "yea."

The result was announced—yeas 88, nays 2, as follows:

[No. 335 Leg.]
YEAS—88

Aiken	Gravel	Moss
Allen	Griffin	Muskie
Baker	Gurney	Nelson
Bartlett	Hansen	Nunn
Bayh	Hart	Packwood
Beall	Hartke	Pastore
Bentsen	Haskell	Pearson
Bible	Hatfield	Pell
Biden	Hathaway	Percy
Brock	Helms	Proxmire
Brooke	Hollings	Randolph
Buckley	Hruska	Ribicoff
Burdick	Huddleston	Roth
Byrd,	Hughes	Saxbe
Harry F., Jr.	Humphrey	Schweiker
Byrd, Robert C.	Inouye	Scott, Pa.
Cannon	Jackson	Scott, Va.
Case	Javits	Stafford
Chiles	Kennedy	Stevens
Church	Long	Stevenson
Clark	Magnuson	Symington
Cook	Mansfield	Taft
Cranston	Mathias	Talmadge
Dole	McClellan	Thurmond
Domenici	McClure	Tower
Dominick	McGee	Tunney
Eagleton	McGovern	Weicker
Ervin	Metcalf	Williams
Fannin	Montale	Young
Fong	Montoya	

NAYS—2

Belmont Bennett

NOT VOTING—10

Abourezk	Fulbright	Sparkman
Cotton	Goldwater	Stennis
Curtis	Johnston	
Eastland	McIntyre	

So Mr. MONDALE's amendment was agreed to.

Mr. INOUE. Mr. President, as a member of the Senate Select Committee on Presidential Campaign Activities, as a former chairman of the Senate Democratic Campaign Committee, and as a candidate for public office many times in the past and facing a reelection campaign next year, I have a professional, partisan and personal interest in the legislation that is presently before us.

Even before the Watergate revelations, it was clear that something was wrong with our country's electoral system. The fact that many potential voters stay away from the polls is one sign of popular disaffection. So, too, is the continual rise of public lack of confidence and trust in our governmental and political institutions expressed in opinion surveys. The widespread concern—of voter and

politician alike—with the rising costs of campaigns and the growing dependence on large campaign contributions, suggests to some people that politics is an exclusive preserve of the rich and that it is a cynical and dirty business.

The admitted activities and the allegations surrounding Watergate can only exacerbate public disaffection with politics and politicians. The response of our system to this tragic series of events may well determine the future of this country as a free and democratic society.

The legislation that we are voting on today will be viewed as a first congressional response to Watergate and the problems of campaign financing. Therefore, each of us must feel sure that every vote we cast on amendments to this bill and that the final vote for passage meets the highest standard of good judgment and legislative design.

The goal of any campaign finance reform legislation is simple: First, that candidates have access to adequate resources to wage a competitive campaign and; second, that campaigns should be financed in a way that will build support for our political system and rebuild respect for the political process.

There is much in the Rules Committee version of S. 372 which deserves broad support. For example: The establishment of an independent Federal Elections Commission, the strong criminal and civil penalties for violations of election laws, the ceilings on individual and family contributions, the repeal of the equal time provision, the limit on cash contributions, and the centralization of responsibility for spending reports.

I am sure, however, that this is not perfect legislation. The number of amendments being offered manifest the range of opinion as to what might constitute more perfect legislation. The Federal Election Campaign Act of 1971 unfortunately has proven to be less than perfect. Indeed, it is possible that perfect legislation in this area will and can never be conceived. But we must try.

This fall the select committee will investigate the entire area of campaign finance and the allegations of improper financial activities during the 1972 Presidential campaign—so that the full truth will be known. Upon the conclusion of that segment of hearings, the committee will consider legislative remedies to prevent future occurrences of such activities. I would assume that some legislative recommendations will be forthcoming from the committee in the area of campaign finance. I know that I will do my best to perfect any such recommendations. If and when those legislative provisions are offered before the Congress, I am confident they will receive serious consideration.

I wish to put my colleagues on notice today that I do not believe we will solve all of our problems in the area of campaign financing today. I believe that we need more information in a number of areas before we can be confident of our actions, especially concerning the potential of public financing of campaigns. I do not mean to suggest that solutions can be forestalled indefinitely. Our po-

litical system cannot afford any more Watergates. Although I intend to support final passage of this bill, I also intend to continue working in the Select Committee and as an individual Senator to try to design additional legislative measures which will insure fair and competitive elections for every seat in the U.S. Congress.

The PRESIDING OFFICER. The question occurs on the amendment of the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I understand that the yeas and nays have been ordered on my amendment. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

A \$100 CAMPAIGN CONTRIBUTION LIMIT NEEDED

Mr. PROXMIRE. Mr. President, this amendment would amend the bill to provide that the limit on the amount that could be contributed to any candidate in any calendar year by any one contributor would be \$100, not \$5,000. It also provides that the amount which could be contributed by an individual to all campaigns would be \$1,000, not \$100,000.

Mr. President, there is one fundamental argument for this amendment. By confining contributions to political campaigns to less than \$100, it would virtually remove the most corrupting element in American life.

CAMPAIGN CONTRIBUTION—THE NEW BRIBERY

Political power in America today is not significantly influenced by outright bribes. Occasional bribes are offered and accepted, but they are rare; and I doubt that any significant legislation in this body has been affected this year, last year, or even in the past 5 years by an outright bought and paid for vote.

The people with money who want to buy political power—those, for example, who want to secure legislation protecting or advancing their special interest—do not have to resort to the criminal, dangerous risk of offering a bribe. They can influence legislation in a perfectly legal, widely practiced way and in a way that gets results.

If there have been few if any outright bribes of Members of the Senate in recent years, if it is unlikely that any significant legislation has been affected by bribery over the past year. This is emphatically not the case for campaign contributions.

Mr. President, every year since I have been in this body—and that is 16 years—a great deal of vital legislation has been passed or defeated because large political contributions have influenced Senators to vote for it or against it, or to water it down or soften its impact to serve a particular heavily contributing interest.

HOW IT WORKS

Every Senator sees it regularly in committee action on legislation. We see it on the floor of the Senate.

To deny that the man who represents a particular interest and contributes \$5,000 or \$1,000, or even \$500 to a Senator's campaign often has a sympathetic ear for his problems, to deny that when we receive contributions of this kind we have a tendency to be at least a little