

and Judicial Salaries to study and review the compensation of the top officials of the executive branch under the executive schedule. Members of Congress, justices, judges, and certain other personnel of the judicial branch. Under the act, the Commission reports its pay recommendations to the President, who then includes in his next budget to the Congress his recommendations on the exact rates of pay which he deems advisable for the offices and positions with which the Salary Commission is concerned.

On July 9, the Senate passed S. 1989, improving the procedures by which recommendations are made and acted upon. The acceptance of this bill by voice vote indicates that there was not significant opposition to this bill to require a roll call vote. Quite frankly, Mr. President, I wish that this had been the case, because that was the appropriate time for debate on questions raised by the amendment of my distinguished colleague from Alabama, not now as we debate urgent campaign financing legislation.

As it is, we are faced, on the one hand, with appearing to our constituents as money grabbers, seeking to fill our own pockets with a raise, while the rest of the economy is frozen; or, on the other, risking the survival of a vitally important piece of campaign financing legislation which can bring some integrity and dignity to the system by which we elect public officials. Passage of this amendment by the Senate clearly jeopardizes final enactment of this legislation.

I want to make clear my firm opposition to pay raises for the President, Congress, Federal judges and other high officials that exceed the wage control guidelines while the wages of the Nation's workers are under controls. As long ago as May of 1972, I publicly called upon President Nixon and Congress to oppose increases that exceed wage guidelines as long as such are applied to the wages and salaries of working men and women. They will not sit still while they are forced to carry the burden of controlling inflation, and they should not be asked to.

It must be noted that no raise has yet been recommended by the President. At such time as a raise is recommended, the Congress has available a very simple mechanism whereby it can disapprove, by resolution of disapproval passed by either House, the President's recommendations. In addition, it must be noted—and this is important—that existing law authorizes the President to postpone any pay adjustments if he believes such action to be necessary and wise. S. 1989, as passed by the Senate, does not change this provision. In fact, the committee, in its report on the bill, reiterated the importance of this provision, saying:

It is the committee's view that pay adjustments recommended by the President should be subject to any salary or other applicable economic restraints which the President may see fit to impose in his efforts to control inflation.

Indeed, this Congress has extended the President's authority through the extension for 1 year, of the Economic Control Act. We must assume that the President will take into account all

sectors of the economy in the development and management of phase IV. Indeed, we insist upon it.

Finally, Mr. President, I felt obliged to oppose amendment No. 410 because I believe that it resembles too closely the procedure by which the Nixon administration has chosen to "disenact," through administrative action, many of the programs which were enacted by this Congress. This is a trend that many of us in this body have fought hard to prevent. This is a Nation of laws; our Constitution provides a mechanism by which we pass laws, and we cannot just go around circumventing the laws we enact.

Before we simply pass an amendment which will cripple or completely alter the Federal Salary Act, we must go through the process which we have set up for the purpose of amending or abolishing laws. We cannot afford to pass, in haste, an amendment which skirts the legal procedure for determining salary increases. I would, of course, support a review of these provisions by the appropriate committee, if that is the mind of the Senate.

At this time, however, Mr. President, I feel it is my duty, as a Member of this body, to point out these aspects of the action we take today. I do, however, join with the Senator from Alaska (Mr. STEVENS) in offering an amendment as a substitute for the Allen amendment as amended and I urge its adoption.

The PRESIDING OFFICER (Mr. JOHNSTON). The question recurs on agreeing to the amendment of the Senator from Alaska (Mr. STEVENS).

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 Massachusetts (Mr. KENNEDY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Missouri (Mr. SYMINGTON) 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 West Virginia (Mr. RANDOLPH) would vote "nay."

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.

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

The result was announced—yeas 48, nays 44, as follows:

[No. 333 Leg.]

YEAS—48

Bayh	Cook	Huddleston
Beall	Eastland	Hughes
Bellmon	Fong	Humphrey
Bennett	Gravel	Inouye
Biden	Griffin	Javits
Brock	Hart	Johnston
Brooke	Hartke	Long
Buckley	Haskell	Mathias
Cannon	Hatfield	McGee
Case	Hathaway	McGovern
Clark	Hollings	Metcalf

Mondale  
Montoya  
Muskie  
Pastore  
Pearson

Pell  
Percy  
Saxbe  
Scott, Pa.  
Scott, Va.

Stevens  
Tower  
Tunney  
Welcker  
Williams

NAYS—44

Aiken  
Allen  
Baker  
Bartlett  
Bentsen  
Bible  
Burdick  
Byrd,  
Harry F., Jr.  
Byrd, Robert C.  
Chiles  
Church  
Cranston  
Dole  
Domenici

Dominick  
Eagleton  
Ervin  
Fannin  
Fulbright  
Goldwater  
Gurney  
Hansen  
Helms  
Hruska  
Jackson  
Magnuson  
Mansfield  
McClellan  
McClure

Moss  
Nelson  
Nunn  
Packwood  
Proxmire  
Ribicoff  
Roth  
Schweiker  
Sparkman  
Stafford  
Stevenson  
Taft  
Talmadge  
Thurmond  
Young

NOT VOTING—8

Abourezk  
Cotton  
Curtis

Kennedy  
McIntyre  
Randolph

Stennis  
Symington

So Mr. STEVENS' amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the Allen amendment as amended by the substitute. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from West Virginia (Mr. RANDOLPH) 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 West Virginia (Mr. RANDOLPH) 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.

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

The result was announced—yeas 49, nays 43, as follows:

[No. 334 Leg.]

YEAS—49

Aiken  
Bayh  
Beall  
Bellmon  
Bennett  
Biden  
Brock  
Brooke  
Buckley  
Byrd, Robert C.  
Cannon  
Case  
Clark  
Cook  
Eastland  
Fong  
Griffin

Hartke  
Hatfield  
Hathaway  
Hollings  
Huddleston  
Hughes  
Humphrey  
Inouye  
Jackson  
Javits  
Johnston  
Long  
Mathias  
McClellan  
McGee  
McGovern  
Mondale

Montoya  
Muskie  
Pastore  
Pell  
Percy  
Saxbe  
Scott, Pa.  
Scott, Va.  
Stafford  
Stevens  
Stevenson  
Tower  
Tunney  
Welcker  
Williams

NAYS—43

Allen  
Baker  
Bartlett  
Bentsen  
Bible  
Burdick  
Byrd,  
Harry F., Jr.

Chiles  
Church  
Cranston  
Dole  
Domenici  
Dominick  
Eagleton  
Ervin

Fannin  
Goldwater  
Gurney  
Hansen  
Hart  
Haskell  
Helms  
Hruska

Kennedy	Nunn	Sparkman
Magnuson	Packwood	Symington
Mansfield	Pearson	Taft
McClure	Proxmire	Talmadge
Metcalf	Ribicoff	Thurmond
Moss	Roth	Young
Nelson	Schweiker	

## NOT VOTING—8

Abourezk	Fulbright	Randolph
Cotton	Gravel	Stennis
Curtis	McIntyre	

So Mr. ALLEN's amendment, as amended, was agreed to.

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

Mr. COOK and Mr. CANNON moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. ALLEN. Mr. President, I feel there is one way to encourage attendance in the Senate and create interest in an issue, and that is to introduce a measure having to do with the salaries of the Members of the Senate. Just the other day I happened to be presiding over the Senate when the war powers bill was being considered, and, in addition to the Presiding Officer at the time, there were 3 Senators on the floor debating that important issue. I recall on many of the end-the-war amendments an attendance of four or five or six Members of the Senate was a pretty good turnout. We pass multibillion-dollar bills here with some four or five Senators on the floor when the vote starts. But this afternoon we have had a regular attendance here on the floor of about 75 Senators all the time, and I think it is very commendable that Senators have been present for the consideration of this important legislation.

I must say that I regretted the little inconsistency that I was guilty of in voting against the amendment which I and some 37 other Senators introduced, because the entire nature of the amendment had been changed. The original amendment sought by legislation to freeze the salaries of Members of Congress and the Federal judiciary and the President's Cabinet to their present level, whereas the amendment that was finally voted on was the original amendment as substituted by the Stevens amendment, and it provided something entirely different. It was not legislation; it was merely a sense of the Senate resolution, which leaves the salary commission free to recommend any wage or any salary increase that it sees fit.

So, Mr. President, it was for that reason—and I noticed that pretty nearly all or most of the original sponsors of the amendment voted the same way—I was compelled to vote against the amendment as a substitute, because it calls for a salary raise in some amount—I do not suppose anybody knows just how much—whereas the original amendment sought to freeze the amount of compensation at the present level. Therefore it was necessary that I vote against the amendment which was originally introduced by me and some 37 other Senators.

Mr. BIDEN. The Senator mentioned—and I think it is misleading—that the reason for the attendance here was that our pocketbooks are at stake.

Is it not true that when the Senator's announced amendment, which we all

had notice of, was being debated there were only 4 or 5, or perhaps 10, Senators on the floor? It was only after there were votes on extraneous matters, which were not considered by anybody prior to being offered, that the attendance maintained itself at a high level.

Does not the Senator think it is true that, had we never argued for a year or two the war powers bill, had we not argued for several years the antiwar amendments, and had the amendments of the war powers bill be taken up on the spur of the moment we would have had nearly all 100 Members of the Senate present?

I suggest it is misleading to the American people and to those in the galleries to suggest that the only reason why we are in attendance is that our pocketbooks are at stake. I think it does a disservice to the Senate and I think it does a disservice to the country. I think if debate on the war powers bill or on end-the-war amendments had been offered just on the spur of the moment, there is hardly a Member of the Senate who would not have been willing to stay here around the clock to decide those issues. I know less than anybody else around here about that, but that is my opinion.

Mr. ALLEN. Mr. President, I thank the Senator for his lengthy comments. The Senator is free to draw whatever conclusions from my remarks that he wants to.

Mr. HELMS. Mr. President, I desire to associate myself with the comments of my friend from Alabama (Mr. ALLEN). I was a cosponsor of his amendment which was emasculated on this floor this afternoon.

As Senator ALLEN has said, the Senate has—unwisely in my judgment—paved the way for a backdoor increase in Senators' salaries.

This is wrong, Mr. President, and I regret that the Allen amendment—which would have prohibited any salary increase—was so badly emasculated and turned around in its intent.

The people of this country are watching this Senate. They are mindful that the Congress of the United States is largely responsible for the inflation that is plaguing our economy.

Some Senators have protested that \$42,500 a year is not enough salary for their needs. Well, Mr. President, I cannot help thinking about the millions of American families who are struggling to survive on salaries only a fraction of the amount Senators are paid.

Frankly, Mr. President, unless and until this Congress gets down to business, and begins to work to balance the Federal budget, I think the American people are completely justified in feeling that Senators and Congressmen are receiving adequate compensation, if not too much compensation.

I compliment the distinguished Senator from Alabama (Mr. ALLEN) on his efforts here today. I was proud to stand with him. We lost. But I believe a record has been made here today—a record that the people can use to determine who stands where.

Mr. HASKELL. Mr. President, I would like to comment briefly on the Stevens

amendment to S. 372 which was agreed to earlier today.

I voted in favor of the amendment during several key procedural votes. I did this because I was under the impression that the amendment provided for a simple 5.5-percent limit on an increase which would be in accord with Federal guidelines.

I was then informed that the amendment would have allowed an increase of five times 5.5 percent, or 27.5 percent, because it has been 5 years since the last pay raise. I do not support such an increase and voted against final passage of this amendment based on the understanding that it would provide the 27.5-percent increase.

A rereading of the amendment has convinced me that it did not authorize an exorbitant increase and thus my final vote was in error.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1423) to amend the Labor Management Relations Act, 1947, to permit employer contributions to jointly administered trust funds established by labor organizations to defray costs of legal services.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 25, 1973, he presented to the President of the United States the enrolled bill (S. 1090) to amend the Communications Act of 1934, to extend certain authorizations for the Corporation for Public Broadcasting and for certain construction grants for noncommercial educational television and radio broadcasting facilities, and for other purposes.

## ORDER FOR CONSIDERATION OF PENDING BUSINESS (S. 1560) AND UNFINISHED BUSINESS (S. 372) ON TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I am authorized by the distinguished majority leader to make the request I am about to make.

I ask unanimous consent that at no later than 10:30 a.m. tomorrow the Senate return to the consideration of today's first-track item (S. 1560), and that that bill remain before the Senate until disposed of or until the hour of 12:30, whichever is earlier, and that the Senate then resume the consideration of the unfinished business (S. 372).

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

Mr. ROBERT C. BYRD. Mr. President, for the information of the Senate, there will be no more rollcall votes today. The Senate will convene at 10 o'clock tomorrow. At not later than 10:30 a.m. the Senate will take up the public service f unemployed persons bill. Yea-and-votes may occur thereon. At no later than 12:30 p.m., and possibly earlier, the S