

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. TOWER. I would simply like to ask the Senator from West Virginia what he can project for us in the way of remaining Senate business today, and, in addition to the Monday orders, what he might anticipate throughout next week.

Mr. ROBERT C. BYRD. Mr. President, in response to the distinguished Senator's inquiry, I have endeavored, on both sides of the aisle, to inquire as to whether or not there are other amendments which we do not already know about that could be called up this afternoon. I find that there are no Senators who are ready to call up further amendments this afternoon, with the exception of the Senator from Kentucky (Mr. HUDDLESTON), who has an amendment on which there is a time limitation of 30 minutes, and there is every indication that the distinguished manager of the bill will accept the amendment, in which case there may not be a rollcall vote on that amendment.

In that event, there will be no more rollcall votes today. An amendment by the Senator from Connecticut (Mr. WECKER) will be laid down today, but the distinguished author of that amendment wishes to talk at some length on it, and consequently there will be no vote on that amendment today.

The Senate will then adjourn until Monday at noon. After two special orders on Monday of 15 minutes each, there will be routine morning business until 1 o'clock, at which time the Senate will resume the consideration of the Wecker amendment, with a vote to occur on that amendment after 2 hours of debate, at 3 p.m.

Following the vote on the Wecker amendment, the Senator from Oklahoma (Mr. BELLMON) has two amendments on each of which there is a 30-minute limitation, and they will be taken up in succession, with yea and nay votes thereon, at the conclusion of which a Senator, I believe Mr. ROTH—or rather, I am informed, Mr. BUCKLEY—has an amendment on which there is a 1-hour limitation, and there will be a rollcall vote on that amendment.

As it looks from here, there will be at least four rollcall votes on Monday.

Mr. TOWER. Can the Senator project what our business is likely to be beyond Monday? I am trying to get his overview of the entire week, if that is possible, to the extent that the distinguished Senator from West Virginia knows.

Mr. ROBERT C. BYRD. The principal thing would be—and I have discussed this with the distinguished majority leader—that the Senate will continue with the consideration of the unfinished business, with no-fault insurance waiting in the wings at some point, and the education bill coming along also. So we have three difficult pieces of legislation which will require some time for the Senate to complete. A busy week lies ahead.

Mr. TOWER. I thank the Senator from West Virginia.

Mr. President, I ask unanimous consent that the order to take up the amendment of the Senator from New Mexico (Mr. DOMENICI) be vacated.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, the Senator from Idaho has an amendment that he will present, probably on Monday, and I am hopeful that perhaps the distinguished Senator from Nevada will accept it. It will not take much time, but we do have an amendment.

Mr. ROBERT C. BYRD. May I ask the distinguished Senator from Washington, is there any possibility that that amendment could be called up today?

Mr. MAGNUSON. Well, I do not know that he is here. He can if he wants to. But we can do it, I think, very quickly; it will not take over 5 minutes on Monday.

Mr. ROBERT C. BYRD. In the event he would want to take it up today, if it is acceptable and can be handled by voice vote, he can do it either today or Monday.

Mr. MAGNUSON. I want to suggest also that we would all like to proceed on the no-fault measure as soon as possible, but it may not be quite ready for taking up in the Senate the early part of next week. It might be later in the week, because it will be a big, complex bill, and there will be a lot of amendments and a lot of debate on it.

Mr. ROBERT C. BYRD. Yes.

Mr. MAGNUSON. We all understand that. But I wanted to give notice that the Senator from Idaho has an amendment. I have talked with the authors of the bill; I talked briefly with the Senator from Nevada, and I am hopeful that over the weekend they will accept that amendment.

Mr. ROBERT C. BYRD. Very well.

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

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

AMENDMENT NO. 1114

The VICE PRESIDENT. Under the previous order, the Senator from Kentucky (Mr. HUDDLESTON) is recognized to call up an amendment, on which there is to be a vote in 30 minutes at the latest.

Mr. HUDDLESTON. Mr. President, I call up my Amendment No. 1114.

The VICE PRESIDENT. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

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

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HUDDLESTON's amendment (No. 1114) is as follows:

On page 25, beginning with line 10, strike out through line 14 and insert in lieu thereof the following:

Sec. 201. (a) Section 315(a) of the Communications Act of 1934 (47 U.S.C. 315(a)) is amended—

(A) by inserting "(1)" immediately after "(a)";

(B) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively; and

(C) 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."

Mr. HUDDLESTON. Mr. President, the purpose of the amendment is quite simple: To insure that every legally qualified candidate has an opportunity to present his views.

In order to do that, I am seeking to amend section 201(a) of the reported bill.

The purpose of section 201(a) of S. 3044, as reported, is to encourage broadcast stations to schedule debates or discussion programs featuring the major candidates for a particular office. The requirement that all candidates for the same office be given equal time when there are numerous candidates, some of a "minor" nature, has proven to be a significant deterrent to this type of programming. To the extent that the revision proposed by the committee promotes joint broadcast appearances, including debates by major candidates, it is highly desirable.

However, as written, it is subject to great abuse that could be detrimental to the election process and to the public interest. It would, for instance, permit each broadcast station to be sole judge of which candidates could use its facilities. A station could give one candidate an unlimited amount of free time while severely limiting or denying his opponents any use at all. Some candidates could be totally precluded from any broadcast exposure.

As a broadcast station owner and manager for some 20 years, I believe that the vast majority of the Nation's broadcasters would be scrupulously fair in providing all candidates an opportunity to use their facilities. Yet the possibility for the above mentioned abuses does exist as the revision is presently contained in section 201(a) of S. 3044.

Therefore, my amendment would permit the automatic waiving of the equal time requirement of section 315 of the Communications Act of 1934 for Presidential and Vice Presidential races—but

for other elections it could be waived only if the broadcast station offers 5 minutes of free time to all candidates seeking the same office.

In my judgment, the requirement of 5 minutes of time for each candidate for a particular office, even if there are several, would not be such an onerous burden on the broadcast station as to preclude the scheduling of debates or discussions with the leading candidates and at the same time would insure that every candidate would have at least a minimal opportunity to present his views.

Again, calling on my experience as a broadcaster, I am convinced that this modification is in the best interest of the election processes, the broadcast industry, and most importantly, the general public.

Mr. President, I believe the managers of the bill are in general agreement with this proposed amendment. I urge its adoption and reserve the remainder of my time.

Mr. CANNON. Mr. President, may I ask a question of the distinguished author of amendment? Do I correctly understand now that section 315 would be waived with respect to the President and the Vice President?

Mr. HUDDLESTON. That is correct, automatically.

Mr. CANNON. With respect to the other offices, it would be waived only in the event the broadcasters were to give 5 minutes to every candidate or to every major candidate; is that not correct?

Mr. HUDDLESTON. To each candidate running for the same office, not merely major contenders.

Mr. CANNON. To each candidate running for the same office.

May I ask the Senator further, the pending bill relates only to Federal elections. Does the Senator intend by his amendment to extend this beyond Federal elections to elections of a statewide nature for the purpose of section 315?

Mr. HUDDLESTON. That is correct. The only differentiation in the elections in my amendment is the election for President and Vice President. They can be treated legitimately as a separate case because that is a nationwide contest, of course, and they are viewed by all the citizens of this country at the same time. So those two offices would be automatically exempt from the equal time requirements of section 315 of the Communications Act.

Beyond that, all other races whether for Congress, the school board, the Governor, whatever, would be treated the same. A station could be exempted, provided it offered all candidates seeking the same office 5 minutes free time.

The reason I believe it should apply to all levels and not just Federal is that the broadcast stations then would be able to treat all elections in the same way and would not have to keep a separate set of books or regulations for candidates running for the Senate, for Congress, for Governor, or whatever.

Mr. CANNON. But this amendment would impose no requirement on the broadcasters to furnish free time?

Mr. HUDDLESTON. No, sir.

Mr. CANNON. If they furnish free time, they would have to give the time to every candidate?

Mr. HUDDLESTON. That is correct. If they give one candidate free time, then they must offer at least 5 minutes free time to every other candidate seeking the same office.

Mr. CANNON. Would that be on a race-by-race basis? For example, let us suppose a broadcaster determined, in a race for the governorship, that he would give the candidates free time and therefore he would have to give every candidate 5 minutes free time. If that were the case, and there were a candidate running for attorney general at the same time, would he have to, likewise, then give that time to the other candidate?

Mr. HUDDLESTON. No sir, he would not. It would be strictly on a race-by-race basis. He could seek exemption in the race for Governor but not for any other race going on at the same time. The amendment applies to all candidates running for the same office.

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

Mr. HUDDLESTON. I yield.

Mr. PASTORE. I have looked at this amendment. As a matter of fact, I have had a talk with the distinguished sponsor of it. It is quite an improvement over the language in the bill as presently drawn. This would exempt it completely from the office of President and Vice President, which is desirable.

As the Senate knows, I have remarked on this a number of times. When I talked to the presidents of the various networks, ABC, CBS, and NBC, they did promise that if we lifted the exemption from section 315, they would be willing to give adequate time to candidates for the Presidency and the Vice Presidency. Everyone knows how expensive that is and what a boon it would be in the campaign, as we are now talking about a limitation of funds.

As to other Federal offices and State offices, there, I am afraid, that if we lifted it completely, we could open up a can of worms because we have many people who feel that in many cases—and this sensitivity has some merit—if we left it entirely to the discretion of the local stations whether radio or television, we would be more or less at the mercy of the owner who could use the medium to his own advantage day after day editorializing on radio and television. There is no objection to editorializing, of course, expressly favoring one particular candidate. But if he could do that day after day and not give the opposition any time, we could be in serious trouble.

That has been discussed on the floor of the Senate for a long time. With this provision, if they give time to anyone, they have to give 5 minutes to all, to that particular office. So I think this is an improvement and I will support it.

Mr. CANNON. Mr. President, on the basis of that explanation, I am willing to accept the amendment.

Mr. TOWER. Mr. President, I have discussed this with the distinguished minority manager, the distinguished Senator from Kentucky (Mr. Cook), and he has

authorized me to say that he is prepared to accept the amendment.

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

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

The VICE PRESIDENT. All time on this amendment has now been yielded back.

The question is on agreeing to the amendment—No. 1114—of the Senator from Kentucky (Mr. HUDDLESTON).

The amendment was agreed to.

SENATOR BUCKLEY ON CAMPAIGN REFORM

Mr. ROTH. Mr. President, in the most recent issue of the publication, Human Events, the distinguished junior Senator from New York (Mr. BUCKLEY) has presented a clear analysis of the campaign reform legislation which is now being considered on the Senate floor.

After observing that the great system of campaign financing needs reform, Senator BUCKLEY states his belief that any new legislation should encourage, rather than diminish, each citizen's participation in the political process. I occur in my colleague's position and I am pleased that he has expressed his support for my proposal that, as an alternative to "public financing" of elections, the maximum tax credit allowable for a political contribution should be increased to a level which will give each private individual a greater incentive to voluntarily contribute to the candidate of his or her choice.

The detailed responses which Senator BUCKLEY has made to the probing questions presented in this interview deserve the considered attention of every public official who is committed to supporting true "campaign reform" legislation. I urge each of my colleagues to study Senator BUCKLEY's comments and to give them their careful attention throughout the debate on S. 3044 and other legislation designed to reform the conduct and financing of political campaigns.

I ask unanimous consent that the Senator's comments be printed in the RECORD.

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

[From Human Events, March 30, 1974]

SENATOR BUCKLEY ON CAMPAIGN REFORM

(NOTE.—The Senate is scheduled to take up campaign reform legislation this week. The bill under consideration—S. 3044—includes, among many changes, a proposal for public financing of campaigns. Sen. Buckley (C.-R.-N.Y.) has made an in-depth study of the entire measure and in the following exclusive interview discusses the numerous practical and constitutional objections to the bill.)

Q. President Nixon recently made a rather lengthy statement on campaign reform. What was your reaction to his proposals?

A. There were too many proposals included in his package to allow me to give you anything even approaching a definitive answer here, but I will say that I find myself in general agreement with the thrust of his proposals—especially as compared with those included in S. 8044, the bill recently reported out of the Senate Committee on Rules and Administration.

The President's proposals seem designed to deal with the problems in our present system, while the Senate bill we will have before us shortly would scrap that system. I would be among the first to admit that our present system of selecting candidates and financing campaigns needs reform, but I am not at all convinced that we should abandon it for a scheme that would diminish citizen participation in politics and, in all probability, would create more problems than it would solve.

Q. S 3044 is the bill that includes public financing of presidential, Senate and House campaigns, isn't it?

A. That's right. The bill that we will soon debate includes provisions that would allow candidates for any federal office to draw on tax funds to finance their campaigns. The system would replace the essentially private system now in effect and would cost the American taxpayer some \$358 million every four years.

More importantly, however, this scheme presents us with grave constitutional and practical questions that I hope will be fully debated on the floor of the Senate before we vote.

Q. Why do you object so strongly to public financing?

A. I object because I am convinced that such drastic measures are needed to clear the problems we confront, because I suspect that the proposals as drawn are unconstitutional and because if implemented they would alter the political landscape of this country in a way that many don't even suspect and very few would support.

Those in and out of Congress who advocate public financing are selling it as a cure-all for our national and political ills. For example, Sen. Kennedy recently went so far as to say that "most, and probably all, of the serious problems facing this country today have their roots in the way we finance political campaigns. . . ."

This statement reminds one of the hyperbole associated with the selling of New Frontier and Great Society programs in the '60s. The American people were asked then to accept expensive and untried programs as panaceas for all our ills.

Those programs didn't work. They were oversold, vastly more expensive than anyone anticipated, and left us with more problems than they solved. Public financing is a Great Society approach to another problem of public concern and like other solutions based on the theory that federal dollars will solve everything should be rejected.

In what ways should public financing alter the political landscape?

A. In several very important if not totally predictable ways.

First, under our present system potential candidates must essentially compete for private support, and to attract that support they have to address themselves to issues of major importance to the people who will be contributing to their campaigns and voting for them on election day. Public financing might allow candidates to ignore these issues, fuzzi their stands and run campaigns in which intelligent debate on important matters is subordinated to a "Madison Avenue" approach to the voters.

Let me give you a couple of examples. During the course of the 1972 campaign, it is reported that Sen. McGovern was forced by the need for campaign money to place greater emphasis on his support of a Vietnam pull-out than his political advisers thought wise. They felt that he should have downplayed the issue and concentrated on others that might be better received by the electorate.

I don't doubt for a minute that the senator's emphasis on his Vietnam position hurt him, but I wonder if we really want to move toward a system that would allow a candidate to avoid such issues or gloss over positions of concern to millions of Americans.

The need to court the support of other groups creates similar problems. Those who believe that we should maintain a friendly stance toward Israel, for example, as well as those who think a candidate should support union positions on a whole spectrum of issues want to know where a candidate stands before they give him their vocal and financial support. The need to complete for campaign dollars forces candidates to address many issues and I consider this vital to the maintenance of a sound democratic system.

Second, millions of Americans now contribute voluntarily to federal, state and local political campaigns. These people see their decision to contribute to one campaign or another as a means of political expression. Public financing of federal general election campaigns would deprive people of an opportunity to participate and to express their strongly held opinions.

They would still be contributing, of course, since the Senate proposal will cost them hundreds of millions of dollars in tax money. But their participation would be compulsory and would involve the use of their money to support candidates and positions they find morally and politically reprehensible.

Third, the proposal reported out of the Senate Rules Committee, like similar proposals advanced in the past, combines public financing with strict limits on expenditures. These limits must, on the whole, work to the benefits of incumbents, since they are lower than the amount that a challenger might have to spend presently in a hotly contested race if he wants to overcome the advantages of his opponent's incumbency.

Fourth, the various schemes devised to distribute federal dollars among various candidates and between the parties has to affect power relationships that now exist. Thus, if you give money directly to the candidate you further weaken the party system. If you give the money to the national party, you strengthen the national party organization relative to the state parties. If you aren't extremely careful you will freeze out or lock in minor parties. These are real problems with significant policy consequences that those who drew up the various public financing proposals tended to ignore.

Public financing will have two significant effects on third parties, neither desirable. In the first place, it will discriminate against genuine national third-party movements (such as that of George Wallace in 1968) because such parties haven't had the chance to establish a voting record of the kind required to qualify for financing.

On the other hand, once a third party qualifies for future federal financing, a vested interest arises in keeping it alive—even if the George Wallace who gave it its sole reason for existence should move on. Thus we run the risk of financing a proliferation of parties that could destroy the stability we have historically enjoyed through our two-party system.

Q. You say public financing raises grave constitutional questions. Are you saying that these plans might be struck down in the courts?

A. It is obviously rather difficult to say in advance just how the courts might decide when we don't know how the case will be brought before them, but I do think there is a real possibility that subsidies, expenditure limitations and contribution ceilings could all be found unconstitutional.

All of these proposals raise 1st Amendment questions since they all either ban, limit or direct a citizen's right of free speech.

In this light it is interesting to note that a three-judge panel in the District of Columbia has already found portions of the 1971 act unconstitutional.

The 1971 Act prohibits the media from charging for political advertising unless the candidate certifies that the charge will not cause his spending to exceed the limits im-

posed by the law. This had the effect of restricting the freedom both of individuals wishing to buy ads and of newspapers and other media that might carry them and, in the opinion of the D.C. court, violated the 1st Amendment.

Q. But Senator, according to the report prepared by the Senate Rules Committee on S 3044, it is claimed that these questions were examined and that the committee was satisfied that objections involving the effect of the legislation on existing political arrangements were without real functions.

A. I can only say that I must respectfully disagree with my colleagues on the Rules Committee. The committee report discusses a number of compromises worked out in the process of drawing up S 3044, but I don't think these compromises do very much to answer the objections I have raised.

The ethical, constitutional and practical questions remain.

The fact is that the ultimate impact of a proposal of this kind on our present party structure cannot be accurately predicted. S 3044 may either strengthen parties because of the crucial control the party receives over what the committee calls the "marginal increment" of campaign contributions, or it may further weaken the parties because the government subsidy is almost assured to the candidate, thereby relieving him of substantial reliance on the "insurance" the party treasury provides. One can't be sure and that alone should lead one to doubt the wisdom of supporting the bill as drawn.

As for third parties, the effect of the bill is equally unclear. It does avoid basing support for third parties simply on performance in the last election and thus "perpetuating" parties that are no longer viable. But the proposal does not deal, for instance, with the possibility of a split in one of the two major parties—where two or more groups claim the mantle of the old party.

Q. Senator Buckley, advocates of public financing of federal election campaigns claim that political campaigning in America is such an expensive proposition that only the very wealthy and those beholden to special interests can really afford to run for office. Do you agree with this claim?

A. No, I do not.

First, it is erroneous to charge that we spend an exorbitant amount on political campaigns in this country. In relative terms we spend far less on our campaigns than is spent by other democracies and, frankly, I think we get more for our money.

Thus, while we spent approximately \$1.12 per vote in all our 1968 campaigns, the last year for which we have comparative figures, Israel was spending more than \$21 per vote. An index of comparative cost of 1968 reveals that political expenditures in democratic countries vary widely from 27 cents in Australia to the far greater amount spent in Israel. This index shows the U.S. near the bottom in per vote expenditures along with such countries as India and Japan.

Second, I think we should make it clear that the evidence suggests that most contributors—large as well as small—give money to candidates because they support the candidate's beliefs, not because they are out to buy themselves a congressman, a governor or a President. Many of those advocating federal financing forget this in their desire to condemn private campaign funding as an evil that must be abolished.

Anyone who has run for public office realizes that most of those who give to a campaign are honest public-spirited people who simply want to see a candidate they support elected because they believe the country will benefit from his point of view. To suggest otherwise impresses me as insulting to those who seek elective office and to the millions of Americans who contribute to their campaigns.

I don't mean to imply that there aren't ex-

ceptions to this rule. There are dishonest people in politics as there are in other professions, but they certainly don't dominate the profession.

Q. But doesn't the wealthy candidate have a real advantage under our current system?

A. Oh, he has an advantage all right, but I'm not sure it's as great as some people would have us believe.

I say this because I am convinced that given adequate time a viable candidate will be able to attract the financial support he needs to get his campaign off the ground and thereby overcome the initial advantage of a personally wealthy opponent. And I am also convinced that a candidate who doesn't appeal to the average voter won't get very far regardless of how much money he throws into his own campaign.

My own campaign for the Senate back in 1970 illustrates this point rather clearly. I was running that year as the candidate of a minor party against a man who was willing and able to invest more than \$2 million of his family's money in a campaign in which he began as the favorite.

I couldn't possibly match him personally, but I was able to attract the support of more than 40,000 citizens who agreed with my positions on the issues. We still weren't able to match my opponent dollar for dollar—he spent twice as much as we did—but we raised enough to run a creditable campaign, and we did manage to beat him at the polls.

At the national level it is just as difficult to say that money is the determining factor and the evidence certainly suggests that personal wealth won't get a man to the White House. If it were the case that the richest man always comes out on top, Rockefeller would have triumphed over Goldwater in 1964, Taft over Eisenhower in 1952 and neither Nixon nor Stevenson would ever have received their parties' nominations.

What I'm saying, of course, is that while money is important it isn't everything.

Q. Wouldn't public financing assist challengers trying to unseat entrenched congressmen and senators who have lost touch with their constituents?

A. I don't like to think of myself as overly cynical, but neither am I naive enough to believe that majorities in the House and Senate are about to support legislation that won't at least give them a fair shake.

The fact is that most of the "reforms" we have been discussing work to the advantage of the incumbent—not the challenger. The incumbent has built-in advantages that are difficult to overcome under the best of circumstances and might well be impossible to offset if the challenger is forced, for example, to observe an unrealistically low spending limit.

Incumbents are constantly in the public eye. They legitimately command TV and radio news coverage that is exempt from the "equal time" provisions of current law. They can regularly communicate with constituents on legislative issues, using franking privileges. Over the years they will have helped tens of thousands of constituents with specific problems involving the federal government. These all add up to a massive advantage for the incumbent which may well require greater spending by a challenger to overcome.

Q. What kind of candidates will benefit from public financing?

A. Any candidate who is better known when the campaign begins or is in a position to mobilize non-monetary resources must benefit as compared to less-known candidates and those whose supporters aren't in a position to give them such help.

This is necessarily true because the spending and contributions limits that are an integral part of all the public funding proposals I have seen even out only one of the factors that will determine the outcome of a given campaign. Other factors therefore

become increasingly important and may well determine the winner on election day.

Thus, incumbents who are usually better known than their challengers benefit because experience has shown that a challenger often has to spend significantly more than his incumbent opponent simply to achieve a minimum degree of recognition.

In addition, consider the advantage that a candidate whose backers can donate time to his campaign will have over one whose backers just don't have the time to donate. In this context one can easily imagine a situation in which a liberal campus-oriented candidate might swamp a man whose support comes primarily from blue collar, middle-class workers who would contribute money to their man, but don't have time to work in his campaign.

Or consider the candidate running on an issue that attracts the vocal and "independent" support of groups that can provide indirect support without falling under the limitations imposed by law. The effectiveness of the anti-war movement and the way in which issue-oriented anti-war activists were able to mesh their efforts with those of friendly candidates illustrates the problem.

David Broder of the Washington Post noted in a very perceptive analysis of congressional maneuvering on this issue that most members seem to sense that these reforms will, in fact, help a certain kind of candidate. His comments on this are worth quoting at length.

"... [T]he votes by which the public financing proposal was passed in the Senate had a marked partisan and ideological coloration. Most Democrats and most liberals in both parties supported public financing; most Republicans and most conservatives in both parties voted against it.

"The presumption that liberals and Democrats would benefit from the change is strengthened by the realization that money is just one of the sources of influence on a political contest. If access to large sums is eliminated as a potential advantage of one candidate or party by the provision of equal public subsidies for all, then the election outcome will likely be determined by the ability to mobilize other forces.

"The most important of these other factors are probably manpower and publicity. Legislation that eliminates the dollar influence on politics automatically enhances the influence of those who can provide manpower or publicity for the campaign.

"That immediately conjures up, for Republicans and conservatives, the union boss, the newspaper editor and the television anchorman—three individuals to whom they are rather reluctant to entrust their fate of electing the next President."

Q. You indicated a few minutes ago that public financing will cost the American taxpayer hundreds of millions of dollars and that many Americans might be forced to give to candidates and campaigns they find repugnant.

A. That's right; it is estimated that the plan envisioned by the sponsors of S 3044 would cost nearly \$360 million every four years and other plans that have been discussed might cost even more.

Necessarily, this will involve spending tax dollars, extracted from individuals for the support of candidates and causes with which many of them will profoundly disagree. The fundamental objection to this sort of thing was perhaps best summed up nearly 200 years ago by Thomas Jefferson who wrote: "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical."

Q. But won't this money be voluntarily designated by taxpayers participating in the check-off plan that has been in effect now for more than two years?

A. Not exactly. As you may recall, the

check-off was originally established to give individual taxpayers a chance to direct one dollar of their tax money to the political party of their choice for use in the next presidential campaign.

When it was extended by the Congress last year, however, the ground rules were changed so that this year taxpayers are not able to select the party to which their dollar is to be directed. They are simply allowed to designate that the dollar should go into the Presidential Election Campaign Fund to be divided up at a later date. Thus, while the taxpayer may still refrain from participating he may well be directing his dollar to the opposition party if he elects to participate.

A theoretical example will illustrate this. Let us assume that two candidates run in 1976 and that the money to be divided up amounts to \$10 million dollars. Half of this would go to each candidate, but let us further assume that 60 per cent of this money or \$6 million is contributed by Democrats. Under this set of circumstances a million Democrats would unwittingly be contributing to the campaign of a candidate they don't support and for whom they probably won't vote.

If S 3044 passes things will get even worse. During the first year only 2.8 per cent of the tax-paying public elected to contribute to the fund. This disappointing participation was generally attributed to the fact that it was difficult to elect to participate. Therefore this year the form was simplified and a great effort is being made to get people to participate.

As a result about 15 per cent of those filing appear to be participating and while this increase seems to warm the hearts of those who have plans for this money it will not raise nearly enough money to finance the comprehensive plan the sponsors of S 3044 have in mind.

Therefore they have found a way to increase participation. Under the terms of S 3044 the check-off would be doubled to allow \$2 from each individual to go into the fund, but the individual taxpayer will no longer have to designate. Instead, his \$2 will be automatically designated for him unless he objects. This is a scheme designed to increase participation reminiscent of the way book clubs used to sell books by telling their members they would receive the month's selection unless they chose not to. As I recall, Ralph Nader and his friends didn't like this practice when book clubs were engaged in it and one can only hope that they will be equally outraged now that Uncle Sam is in the act.

But S 3044 goes further still. If enough people resist in spite of the government's efforts to get them to participate, the Congress will be authorized to make up the difference out of general revenues. So, after all is said, it appears that the check-off is little more than a fraud on the taxpayer.

This to me is one of the most objectionable features of this whole scheme. It is an attempt to make people think they are participating and exercising free choice when in fact their choices are being made for them by the government.

Q. If there are problems and you can't support public financing, just what sort of reform do you favor?

A. I said earlier that I prefer the general thrust of the President's message on campaign reform as compared to the direction represented by S. 3044. The President, unlike the sponsors of the Senate legislation we will soon be debating, seems to grasp the problems inherent in any overly rigid regulation of individual and group political activity in a free society.

We have to recognize that any regulation of political activity raises serious constitutional questions and involves limitations on the freedom of our citizens. This has to be kept in mind as we analyze and judge the

various "reform" proposals now before us. Our job involves a balancing of competing and often contradictory interests that just isn't as easy as it might appear to the casual observer.

Thus, while we are called upon to do what we can to eliminate abuses, we must do so with an eye toward side effects that could render the cure worse than the disease.

I happen to believe rather strongly that this is the case with public financing and with proposals that would impose arbitrary limits on campaign spending and, thereby, on political activity.

The same problem must be faced if we decide to limit the size of individual political contributions. In this area, however, I would not oppose reasonable limits that would neither unduly discriminate against those who wish to support candidates they admire or give too great an advantage to other groups able to make substantial non-monetary contributions.

The least dangerous form of regulation and the one I suspect might prove most effective in the long run is the one which simply imposes disclosure requirements on candidates and political committees. The 1971 Act—which has never really been tested—was passed on the theory that major abuses could best be handled by full and open disclosure.

The theory was that if candidates want to accept sizable contributions from people associated with one interest or cause as opposed to another, they should be allowed to do so as long as they are willing to disclose receipt of the money. The voter might then decide if he wants to support the candidate in spite of—or because of—the financial support he has received.

The far-reaching disclosure requirements written into the 1971 Act went in effect in April 1972 after much of the money used to finance the 1972 campaigns had already been raised. This money—raised prior to April 7, 1972—did not have to be reported in detail and it was this unreported money that financed many of the activities that have been included in what has come to be known as the Watergate affair.

I feel that the 1971 Act, as amended last year, deserves a real test before we scrap it. It didn't get that test in 1972, but it will this fall. I would hope, therefore, that we will wait until 1975 before considering the truly radical changes under consideration.

On the other hand, there are a few loopholes that we can close right away. It seems to me, for example, that we might move immediately to ban cash contributions and expenditures of more than, say, \$100.

But consider the smaller contributor who doesn't want to give to a candidate viewed with hostility by his employer, his friends and others in a position to retaliate. How about the bank teller who wants to give \$10 to a candidate who wants to nationalize banks? Or the City Hall employe who might want to give \$5 to the man running against the incumbent mayor? What effect might the knowledge that one's employer could uncover the fact of the contribution have on the decision to give? The problem is obvious when we remember that the White House "enemies list" was drawn up in part from campaign disclosure reports.

Still, it is a problem that we may have to live with if we are to accomplish the minimal reform necessary to "clean up" our existing system.

Q. So you believe that "full disclosure" is the answer?

A. Essentially. But I don't want you to get the idea that disclosure laws will solve all our problems or that they themselves don't create new problems. I simply feel that they create fewer problems and are more likely to eliminate gross abuses than the other measures we have discussed.

Q. You say that "full disclosure" laws also create new problems. What kind of new problems?

A. Well, you may recall that Sen. Muskie's 1972 primary campaign reportedly ran into trouble after April 1972 because a number of his larger contributors were Republicans who didn't want it publicly known that they were supporting a Democrat. The disclosure requirements included in the 1971 Act clearly inhibited their willingness to give and, therefore, at least arguably had what constitutional lawyers call a "chilling effect" on their right of self-expression.

These were large contributors with prominent names. Perhaps their decision to give should not be viewed as lamentable in the context of the purpose of the act.

Q. Senator, are there any other "reforms" that you think worthy of consideration?

A. Well, there are a good many proposals being circulated that we haven't had a real chance to discuss, but I'm afraid most of them raise more questions than they answer.

S. 3044 does contain one proposal that might be worth consideration and has, in fact, been raised separately by a number of senators. Under our current tax laws a taxpayer can claim either a tax credit or a deduction for political contributions to candidates, political committees or parties of his choice. The allowable tax credit that can now be claimed amounts to \$12.50 per individual or \$25 on a joint return and the deduction if limited to \$50 or \$100 on a joint return.

The authors of S. 3044 would double the allowable credits and deductions. Sen. William V. Roth (R-Del.) has proposed that we go even further by increasing the allowable credit to \$150 per individual or \$300 for those filing joint returns.

These proposals would presumably increase the incentive for private giving without limiting the freedom of choice of the individual contributor. If any proposal designed to broaden the base of campaign funding is worth consideration I would think this is it.

EXTENSION OF TIME FOR THE SPECIAL COMMITTEE ON AGING TO FILE ITS REPORT

Mr. CHURCH. Mr. President, I ask unanimous consent to move from March 29 to April 30 the date by which the report of the Special Committee on Aging, "Developments in Aging 1973, January-March 1974," shall be submitted.

I am making this request in order to give additional time for the completion of minority views.

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

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

Mr. ROBERT C. BYRD. Mr. President, at the direction of the distinguished majority leader, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 719, S. 2844.

The VICE PRESIDENT. The bill will be stated by title.

The legislative clerk read as follows:

S. 2844 to amend the Land and Water Conservation Fund Act, as amended, to provide for collection of special recreation use fees at additional campgrounds, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on

Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That section 4 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 789), as amended (16 U.S.C. 4001-6a), is further amended as follows:

(a) The heading of the section is revised to read:

"ADMISSION AND USE FEES; ESTABLISHMENT AND REGULATIONS".

(b) The second sentence of section 4(a) is amended to read: "No admission fees of any kind shall be charged or imposed for entrance into any other federally owned areas which are operated and maintained by a Federal agency and used for outdoor recreation purposes."

(c) Subsection (a)(1) is revised to read:

"(1) For admission into any such designated area, an annual admission permit (to be known as the Golden Eagle Passport) shall be available, for a fee of not more than \$10. The permittee and any person accompanying him in a single, private, noncommercial vehicle, or alternatively, the permittee and his spouse, children, and parents accompanying him where entry to the area is by any means other than private, noncommercial vehicle, shall be entitled to general admission into any area designated pursuant to this subsection. The annual permit shall be valid during the calendar year for which the annual fee is paid. The annual permit shall not authorize any uses for which additional fees are charged pursuant to subsections (b) and (c) of this section. The annual permit shall be nontransferable and the unlawful use thereof shall be punishable in accordance with regulations established pursuant to subsection (e). The annual permit shall be available for purchase at any such designated area."

(d) Subsection (a)(2) is revised by deleting in the first sentence "or who enter such an area by means other than by private, non-commercial vehicle".

(e) Subsection (a)(4) is amended by revising the first two sentences to read: "The Secretary of the Interior and the Secretary of Agriculture shall establish procedures providing for the issuance of a lifetime admission permit (to be known as the 'Golden Age Passport') to any citizen of, or person domiciled in, the United States sixty-two years of age or older applying for such permit. Such permit shall be transferable, shall be issued without charge, and shall entitle the permittee and any person accompanying him in a single, private, noncommercial vehicle, or alternatively, the permittee and his spouse and children accompanying him where entry to the area is by any other means other than private, noncommercial vehicle, to general admission into any area designated pursuant to this subsection."

(f) In subsection (b) the first paragraph is revised to read:

"(b) RECREATION USE FEES.—Each Federal agency developing, administering, providing or furnishing at Federal expense, specialized outdoor recreation sites, facilities, equipment, or services shall, in accordance with this subsection and subsection (d) of this section, provide for the collection of daily recreation use fees at the place of use or any reasonably convenient location: *Provided*, That in no event shall there be a charge by any such agency for the use, either singly or in any combination, of drinking water, way-side exhibits, roads, overlook sites, visitors' centers, scenic drives, toilet facilities, picnic tables, or boat ramps: *Provided*, however, That a fee shall be charged for picnic areas or boat ramps, with specialized facilities or services: *Provided, further*, That in no event shall there be a charge for the use of any campground not having the following—tent or trailer spaces, drinking water, access road, refuse containers, toilet facilities, and simple

devices for containing a campfire (where campfires are permitted). Any Golden Age Passport permittee shall be entitled upon presentation of such permit to utilize such special recreation facilities at a rate of 50 per centum of the established use fee."

(g) In subsection (b) paragraph "(1)" is deleted; the paragraph designation "2" is redesignated as subsection "(c) RECREATION PERMITS.—"; and subsequent subsections are redesignated accordingly.

(h) In new subsection (d) the second sentence is revised to read: "Clear notice that a fee has been established pursuant to this section shall be prominently posted at each area and at appropriate locations therein and shall be included in publications distributed at such areas."

(i) In new subsection (e) the first sentence is revised to read: "In accordance with the provisions of this section, the heads of appropriate departments and agencies may prescribe rules and regulations for areas under their administration for the collection of any fee established pursuant to this section."

(j) In new subsection (f) the first sentence is revised to read as follows:

"(f) Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1964, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees which are collected by any Federal agency shall be covered into a special account in the Treasury of the United States to be administered in conjunction with, but separate from, the revenues in the Land and Water Conservation Fund; *Provided*, That the head of any Federal agency, under such terms and conditions as he deems appropriate, may contract with any public or private entity to provide visitor reservation services; and any such contract may provide that the contractor shall be permitted to deduct a commission to be fixed by the agency head from the amount charged the public for providing such services and to remit the net proceeds therefrom to the contracting agency."

Sec. 2. Section 6(e)(1) of title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601), is further amended by adding at the end thereof the following:

"Whenever a State provides that the owner of a single-family residence may, at his option, elect to retain a right of use and occupancy for not less than six months from the date of acquisition of such residence and such owner elects to retain such a right, such owner shall be deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894) and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101 (6) of that Act."

Sec. 3. Section 9 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601-10a), is further amended by deleting in the first sentence "section 6(a)(1)" and substituting "section 7(a)(1)".

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, for the time being, that the Senate go into executive session to consider two nominations for the U.S. Coast Guard.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations for the U.S. Coast Guard, will be stated.

U.S. COAST GUARD

The legislative clerk read the nominations in the U.S. Coast Guard, which had been reported earlier today, as follows:

Rear Admiral Ellis Lee Perry, to be Vice Commandant of the U.S. Coast Guard, with the grade of vice admiral.

Rear Admiral Owen W. Siler, to be Commandant of the U.S. Coast Guard for a term of 4 years, with the grade of admiral.

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

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. TOWER. Mr. President, I ask unanimous consent that the President be notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

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

There being no objection, the Senate resumed the consideration of legislative business.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The Senate resumed the consideration of the bill (S. 2844) to amend the Land and Water Conservation Fund Act, as amended, to provide for collection of special recreation use fees at additional campgrounds, and for other purposes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a time limitation on the pending bill, S. 2844, for not to exceed 15 minutes, with 10 minutes to be allotted to Mr. BARTLETT and 5 minutes to be allotted to Mr. BIBLE.

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

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask that Mr. McClure be allowed to speak for not to exceed 15 minutes, out of order, without the time being charged against the time on the pending bill.

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

Mr. McClure. I thank the Senator from West Virginia.

VIETNAM VETERANS DAY

Mr. McCURE. Mr. President, the President of the United States has designated today as a national day of recognition of the contributions of the veterans of Vietnam. In conjunction with that observance, we have a delegation in the United States from South Vietnam to pay their tribute and to bring their greetings from President Thieu concerning the contributions of the American fighting men, to the security and the maintenance of South Vietnam.

President Thieu has sent this delegation, which consists of Mr. Pham Do Thanh, who is not only a senator but also the President of the Vietnam Veteran Association; Mr. Buu Thang, Assistant to the Director General of the Central Logistics Agency; and Mr. Le Huu Phuoc, a lawyer in the Court of Saigon.

They presented to me, on behalf of the President of South Vietnam, the proclamation by President Thieu; and I ask unanimous consent that the message from President Thieu be printed at this point in the RECORD.

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

MESSAGE OF PRESIDENT NGUYEN VAN THIEU, TO THE AMERICAN VETERANS OF THE VIETNAM WAR, ON THE OCCASION OF THE FIRST VIETNAM VETERANS DAY, MARCH 29, 1974

DEAR FRIENDS: On the occasion of the first Viet Nam Veterans Day, I would like to extend my best personal regards to each and every American who in the past has chosen to make common cause with the Vietnamese people at a dark moment of our history.

Thanks to your noble sacrifice and unselfish determination to stand by a small and struggling nation in its hour of peril, America has proved once again the sterling worth of its commitments and its unshakable faith in an international order that refuses to condone aggression. This strength and greatness of vision have resulted in a world made much safer after nearly three decades of the Cold War, a world in which the chances of peace are probably greater than at any other time in recent history.

In our case, the aggression from the North, checked only by the sacrifice of countless American, Vietnamese and allied comrades-in-arms, has resulted in an agreement which in spite of its imperfections has nonetheless allowed for the first time the South Vietnamese people to think in terms of reconstruction and development efforts. The Paris Agreement of January 27, 1973, did not merely bring out an honorable conclusion to the direct American involvement in the conflict in our land, it also strengthened the legal bases of the Republic of Viet Nam in its continued struggle for self-defense and freedom in this part of the world.

The army and people of the Republic of Viet Nam are therefore eternally grateful to the American people, especially to its valiant sons, for their past contributions and present continued support; we are confident of the future and vow to consolidate the gains that we all have won together so that the sacrifices you have accepted on our behalf will never be thought to have been made in vain.

In this hour of communion, the people and army of the Republic of Viet Nam also turn our thoughts to the 55,000 Americans who accepted to make the supreme sacrifice of their lives for the cause of freedom in Viet Nam. To them and to the bereaved families of these heroes, we can only incline ourselves in the deepest expression of our respect and gratitude, praying that they rest in

heaven in the happy knowledge that they had contributed no small share to the defense of human dignity on earth.

My final expressions of thanks on behalf of the Vietnamese nation go to the parents, wives, sons and daughters of the millions of Americans veterans who had participated in the conflict in our land, for without their faith and silent acquiescence in the heroism of their men, the Viet Nam War could not have been brought to a successful end. To them and to their beloved husbands and sons, we wish a most memorable Viet Nam Veterans Day.

Thank you and may God bless you all.

NGUYEN VAN THIEU,

*President of the
Republic of Vietnam.*

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The Senate continued with the consideration of the bill (S. 2844) to amend the Land and Water Conservation Fund Act, as amended, to provide for collection of special recreation use fees at additional campgrounds, and for other purposes.

Mr. ROBERT C. BYRD. Mr. President, I ask for 1 minute, the time not to be charged against either side.

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

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that S. 2844 be temporarily laid aside and that the Senate resume consideration of the unfinished business.

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

FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

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

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. 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. CHURCH. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows: On page 20, between lines 22 and 23, insert the following:

"(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.

Mr. CHURCH. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Washington (Mr. MAGNUSON) be added as a cosponsor of this amendment.

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

Mr. CHURCH. Mr. President, the purpose of this amendment is very plain. There is an element of self-interest, if not conflict-of-interest, for Members of the Senate who are approaching their own campaigns for reelection in 1974 to vote for Federal funding in their campaigns. This amendment would put over until the election of 1976 the public funding provisions of the act, and thus would eliminate any self-serving by Senators who face elections this year.

It is on that basis the amendment is offered, and I hope it will be accepted.

Mr. CANNON. I yield myself 2 minutes. Mr. President, this is a good amendment. I do not believe that the committee contemplated that if this bill were passed, it could take effect prior to the 1976 elections. While we did not write that specifically into the bill, I would have no hesitancy to accept the amendment, to make clear that it could not apply prior to the 1976 elections. Therefore, I am willing to accept the amendment, and I yield back the remainder of my time.

Mr. CHURCH. I thank the Senator very much. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment is yielded back.

The question is on agreeing to the amendment of the Senator from Idaho. The amendment was agreed to.

Mr. ROBERT C. BYRD. Mr. President, there will be no further action on the unfinished business, S. 3044, today.

I ask now that the Senate resume consideration of S. 2844.

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

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The Senate continued with the consideration of the bill (S. 2844) to amend the Land and Water Conservation Fund Act, as amended, to provide for collection of special recreation use fees at additional campgrounds, and for other purposes.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I ask 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. 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.

Mr. ROBERT C. BYRD. Mr. President, at the direction of the distinguished Senator from Nevada (Mr. BIBLE), I ask unanimous consent that appropriate extracts from the committee report be printed in the Record, in explanation of S. 2844.

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

PURPOSE OF BILL

The purpose of S. 2844, as amended, is to amend the Land and Water Conservation Fund Act in order to clarify that Act in several respects relating primarily to user fees on Federal recreation lands.

Public Law 93-81, enacted in August 1973, amended the Land and Water Conservation Fund Act in a manner which was interpreted so as to curtail severely the number of campsites for which user fees may be charged by Federal agencies. S. 2844, as reported, seeks to clarify the situation by detailing those facilities and services for which no fee may be charged while retaining the general criteria for all other facilities.

In addition, the bill makes clear that the Golden Eagle and Golden Age passports allow entry by means other than private, non-commercial vehicle, and may be used by parties entering, for example, on foot, by commercial bus, or by horseback. It also provides that the Golden Age Passport will be a lifetime passport, rather than one which must be reissued annually.

The bill also gives the head of any Federal agency the authority to contract with any public or private entity to provide visitor reservation services and allows the states when utilizing monies from the Land and Water Conservation Fund in connection with land acquisition for state parks to waive the applicability of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in cases where a landowner elects to retain a right of use and occupancy.

BACKGROUND AND NEED

Historically, the fee program has encountered problems, especially with areas under the jurisdiction of the U.S. Army Corps of Engineers, in connection with the collection of recreation use fees. It was the intent of Congress that recreation use fees should be limited to those facilities which require a substantial investment and regular maintenance and that no recreation use fees should be collected for the use of facilities which virtually all visitors might reasonably expect to utilize, such as roads, trails, overlooks, visitor centers, wayside exhibits, or picnic areas.

The 1973 amendment to the Land and Water Conservation Fund Act was meant to spell out and make clear that Congress does not intend to authorize fees for those facilities or combination of facilities which visitors have traditionally received without charge in Corps project areas.

The Interior Department interpreted this amendment in a way that limited the number of campgrounds for which use fees could be charged by Federal agencies. The effect of this interpretation has been a substantial loss of revenues by the National Park Service, the Forest Service, the Army Corps of Engineers and other agencies which had been collecting campground fees at campgrounds which the Departments felt no longer qualified for fee collection. If not corrected, the total loss has been estimated to be between \$7.2 million and \$8.2 million per year.

Because of the problems which arose as a result of the enactment of Public Law 93-81 and its interpretation by the Executive agencies, S. 2844 was introduced. The Committee is hopeful that this legislation will rectify the situation and that finally a uniform and equitable fee system on Federal recreation lands can be established.

SECTION-BY-SECTION ANALYSIS OF S. 2844, AS AMENDED

1. Section 1(b) amends the second sentence of section 4(a) of the Land and Water Conservation Fund Act.—This amendment makes it clear that the prohibition on charging admission fees for entrance into areas, other than designated units of the National Park System administered by the Department of the Interior and designated National Rec-

recreation Areas administered by the Department of Agriculture, applies only to Federally owned areas that are operated and maintained by a Federal agency. Outdoor recreation sites in Federal areas are now leased and are operated and/or maintained by a variety of non-Federal public entities and private, nonprofit associations for a variety of purposes. For example, subsection 2(b) of the Federal Water Project Recreation Act, 79 Stat. 214, 16 U.S.C. § 4601-13(b) (1970), authorizes non-Federal interests to collect entrance and user fees at Federal water project recreation sites in order to repay the separable costs of the project allocated to recreation and fish and wildlife enhancement. This amendment ratifies the administrative interpretation that the prohibition of subsection 4(a) does not apply in such instances. Under the language of the amendment the prohibition of the act would apply to Corps of Engineers areas, for example, only if such areas are both operated and maintained by the Corps. If the area or a site within the area is operated by a non-Federal interest, but maintained by a Federal agency, the prohibition against fee collection would not apply.

2. Section 1(c)—concerns the Golden Age Passport. The purpose of this amendment is to allow the use of the Golden Age Passport for the purpose of gaining admission to a designated entrance fee area when entry is by some means other than by private, non-commercial vehicle, such as by commercial vehicle, bicycle, horse or foot. This expansion of the coverage of the Golden Age Passport is consistent with the policy of reducing the number of, and reliance on, the private automobiles in Federal recreation areas.

In the past the single, private, non-commercial vehicle has been considered to be an adequate device for limiting the number of persons entering an area on one passport. With the recognition of other modes of entry, it is necessary to define the number of persons who can enter on one passport. Accordingly, when entry is by some means other than by private, noncommercial vehicle, the permittee and his immediate family are considered by an equitable and just definition of the class of persons who should be entitled to entry. In order for the permittee's spouse, children or parents to be considered as accompanying the permittee, they must enter at the same time as the permittee enters, and in a physically proximate manner.

With the increasing popularity of motor homes and campaign vehicles, there has been a trend for one family or group to take two motor vehicles to a recreation area. Under the language of the amendment, only the permittee and the persons accompanying him in one vehicle would be allowed to enter on the permittee's passport. The persons in the second vehicle would not be covered. Such persons would be required to pay entrance fees just as would any other person not covered by the passport.

The word "permittee" has been substituted for the words "person purchasing" to make it clear that a passport may be utilized by a donee, if the passport is given as a gift. In such instances, the provision concerning the nontransferability of the passport would not be considered applicable until the donee has endorsed the passport. The Committee does not intend the same approach for the Golden Age Passport. Because the passport is issued without charge to qualifying applicants, to allow the passport to be given as a gift might invite abuse of the fee collection system. Accordingly, the provision concerning the nontransferability of the Golden Age Passport should be regarded as applicable from the initial issuance.

In addition, section 1(c) would delete the requirement that the Golden Age Passport be sold at post offices. Under the amendment, the Passport would be available for purchase at any designated entrance fee area.

3. Section 1(d) is a conforming amendment, consistent with changes made in the Golden Eagle Passport provision.

4. Section 1(e) concerns the Golden Age Passport. The amendment would change the Golden Age Passport to a lifetime passport so that persons entitled to a passport would not have to reapply each year. This change should also result in administrative savings for the issuing agencies.

It should be noted that, in the first sentence of subsection 4(a) (4), the word "entrance" is changed to admission. This change is to make it clear that for the purpose of gaining admission to designated entrance fee areas, the Golden Eagle Passport and the Golden Age Passport operate in the same manner. In addition, the Golden Age Passport allows the permittee to a 50 percent reduction in established recreation use fees. To further insure that both Passports operate in the same manner, the committee has adopted the same language with respect to which persons are entitled to entry on the Golden Age Passport as was used in the Golden Eagle Passport provision with one exception. That exception concerns the parents of the Golden Age permittee.

The amendment would also limit issuance of the Golden Age Passport to any citizen or person domiciled in the United States who is 62 years of age or older. Under existing legislation, any person qualifies, including foreign visitors, 62 years of age or older applying for the passport. In order for a person to be regarded as domiciled in the United States, he must have a fixed and permanent residence in the United States or its Territories to which he has the intention of returning whenever he is absent.

5. Section 1(f) changes the name of special recreation use fees to recreation use fees. This amendment requires each Federal agency, which furnishes at Federal expense, specialized sites, facilities, equipment or services, to collect daily recreation use fees, in accordance with the criteria set out in section 4(d). The amendment would allow such fees to be collected at the place of use or at any other location which is reasonably convenient to the collecting agency and the public. In the case of designated national recreation areas and units of the National Park System, the reasonably convenient location may be the point of entrance into the area in which such sites, facilities, equipment or services are furnished.

The committee wishes to continue to restrict the authority to collect use fees to the use of specialized sites, facilities, equipment, or services. The criteria for determining whether sites, facilities, equipment, or services qualify as specialized shall be whether they involve substantial investment, regular maintenance, presence of personnel, or personal benefit to the user for a fixed period of time. These criteria are deliberately phrased in the disjunctive because the Committee recognizes that each criterion may not be applicable to each use for which a fee would be warranted. For example, a service may merit a fee, even though it cannot normally be said that services involve regular maintenance. On the other hand, a facility may well involve a substantial investment and regular maintenance, but not the presence of personnel.

However, the amendment does attempt to define those sites, facilities, equipment, and services which are *not* to be considered as specialized, and for which, therefore, no fees are authorized, whether or not they are used singly or in any combination. Thus, the committee has decided that in no event shall there be a charge for drinking water, wayside exhibits, roads, overlook sites, visitors' centers, scenic drives, toilet facilities, picnic tables or boat ramps—providing that a fee shall be charged for picnic areas or boat ramps with specialized facilities or services. This prohibition on fee collection applies

only to Federal agencies furnishing such sites, facilities, equipment or services at Federal expense. Like the use fee provision generally, this prohibition does not apply to sites facilities equipment or services, including those specifically enumerated, furnished at non-Federal expense, i.e., those furnished by concessioners, contractors, cooperators or lessees, even though they are furnished on Federal lands.

In a further attempt to define what use fees can be charged for, the committee has established criteria specifying the level of camp-ground development which must be met before a fee can be collected for use of a campsite and adjacent, related facilities. In other words, the campground in which such site is located must have tent or trailer spaces, drinking water, an access road, refuse containers, toilet facilities and simple devices for containing a campfire (where campfires are permitted) in order to qualify for fee collection. The requirement of drinking water will be satisfied by any potable water whether delivered by a man-made device or natural means. Simple garbage cans will suffice as refuse containers. Toilet facilities may be portable or fixed, nonflush or flush. A simple device for containing a campfire may be a simple rock or concrete fire grill. Like the other enumerated amenities such device may be for individual or group use. The requirement for a fire-containing device shall not be deemed applicable where fires are prohibited because of weather or seasonal conditions or other safety considerations.

Consistent with its attempt to spell out what use fees may be charged for, the Committee's amendment further provides that a fee shall be charged for picnic areas or boat ramps with specialized facilities, equipment or services. For instance, if a picnic area has a gas or electric grill, then those who use that site shall be charged a fee.

In summary, it is the committee's intent to have a fixed level of services provided the visiting public before fees will be charged. Absent this minimal level of facilities the public should not be assessed a fee for use of Federal facilities.

The last sentence of subsection 4(b), as amended by the committee, would entitle the Golden Age Passport permittee to use specialized recreation facilities at a rate of 50 per centum of the established use fee. This entitlement applies only to the permittee. Persons accompanying the permittee are not entitled to any reductions where use fees are charged on an individual basis. This provision also does not apply to group use fees. The word "facilities" is used here generally to refer to specialized sites, facilities, equipment, and services, for which a fee is charged. In other words, the permittee is entitled to a 50 percent reduction in daily fees for the use of specialized sites, equipment and services, as well as for specialized facilities.

6. Section 1(g) redesignates subsection 4 (b) (2) and 4(c) to clarify that fees may be charged for recreation permits covering such activities as group activities, recreation events, motorized recreation vehicles, and other specialized uses, even though such activities do not involve the use of specialized sites, facilities, equipment, or services, whether by groups or individuals. The establishment and collection of such fees are discretionary, including their establishment on an individual group, or vehicular basis. This clarifies the intent of Congress in enacting Public Law 92-347 and does not change the language of the act.

7. Section 1(h) broadens the redesignated subsection 4(d) so that the notice provision also applies to fees for recreation permits. The language "at appropriate locations" gives the collecting agencies sufficient flexibility so that notice may be posted at locations other than those where the permitted activities take place. Such locations may be, for example, the point of access to the Federal

recreation area in which such activities are permitted.

8. Section 1(i) is a conforming amendment, consistent with the clarification of the third category of fees, as provided in section 1(g).

9. Section 1(j) gives the head of any Federal agency the authority to contract with any public or private entity to provide visitor reservation services, and to permit the contractor to deduct a commission from the amount charged the public before remitting the net proceeds. The contracting agency has the discretion to fix the amount of the contractor's commission and has the right of prior approval of all charges collected from the public by the contractor in providing such services. Examples of such reservation services covered by this provision are computerized campsite reservations, hunting reservations, guided tour reservations, and transportation reservations.

Section 1(j) also clarifies that the fee deposit requirement of the existing section 4(e) applies only to those fees collected by or on the behalf of a Federal agency by its agents. The deposit requirement is not intended to apply to fees otherwise collected by concessioners, contractors, cooperators, or lessees who operate and/or maintain at their own expense sites, facilities, equipment or services, which are located on Federal lands.

10. Section 2 of S. 2844, as reported, is an amendment offered by Senator Church of Idaho which provides in effect that whenever a State uses funds apportioned to it from the Land and Water Conservation Fund to acquire recreation properties, and the state allows a landowner of a single family residence, at his option, to retain a right of use and occupancy, which the owner elects to retain, such owner shall be deemed to have waived certain benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

This is a reasonable amendment, and a similar provision was passed last year by the Senate in S. 1039 relating to Federal acquisition of lands in National Park areas. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 was primarily intended to ease the impact of acquisition under urban renewal and highway programs where the landowners were forced to move immediately and should be compensated for relocation expenses associated with their removal.

However, the Committee feels that in park acquisition where the owner elects to reserve an estate in an arrangement with the government, then it should not be necessary to pay him additional money for relocation when he might not be moving for many years by his own choice.

11. Section 3 makes a perfecting amendment in section 9 of the Land and Water Conservation Fund Act, to correct an apparent error in a statutory reference.

COST

Enactment of S. 2844, as amended, will not result in the expenditure of any additional funds by the Federal government.

COMMITTEE RECOMMENDATION

The Parks and Recreation Subcommittee held an open hearing on S. 2844 on February 7, 1974, and the full Committee on Interior and Insular Affairs in open mark-up session on March 12, 1974, unanimously ordered S. 2844, as amended, reported favorably to the Senate.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I ask that the time not be charged against Mr. BARTLETT or Mr. BIBLE on the bill.

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

The clerk will call the role.

The legislative clerk proceeded to call the roll.

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

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

The bill is open to further amendment. Who yields time?

Mr. BARTLETT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The amendment was read, as follows:

On page 7, line , insert the following; strike everything after the colon on line 15 through the colon on line 17 and insert the following: "Provided, however, That a fee shall be charged in picnic areas or at boat ramps for the use of specialized facilities or services such as, but not limited to, electric or gas grills, and mechanical or hydraulic boat lifts."

Mr. BARTLETT. Mr. President, the purpose of my amendment is to make clear that the various outdoor recreation agencies of the Federal Government do not charge any fees for persons who use a picnic table or a simple boat ramp.

People should not be expected to pay for facilities which are simple and which in most instances have been free for many years.

I am confident our Government can afford to allow a picnicker to use a table or a boater a slab of concrete without imposing a fee.

There was some mention in one of the discussions on the bill that while no charge would be made for a picnic table or a boat ramp, an agency might charge for a parking lot next to that table or ramp, and in effect charge a fee. Mr. President, this would be a ruse and clearly contrary to the intent of this bill. I believe my amendment makes it clear.

The agencies should be allowed to charge for furnishing facilities or services which involve additional expense and which the ordinary picnicker or boater would not expect to use free.

For instance, as enumerated in this amendment, an agency would charge for the use of electric or gas grills at picnic tables or for hydraulic or mechanical devices at boat ramps. Certainly this list is not inclusive. The bill provides that an agency shall charge for "specialized outdoor recreation sites, facilities, equipment or services." Accordingly, an agency could charge for providing marinas, cabins, swimming pools, or other significant items.

There is no way we can make a complete list of what an agency can or cannot charge for. However, I do believe the intent of this legislation is apparent. I suggest to the agencies that when in doubt about a fee, do not charge it.

We are passing this legislation for the purpose of allowing the agencies to charge certain fees and hopefully as a result to continue the high standards of facilities and services at our national recreation areas. But obviously, this grant of fee charging authority is limited and any fees should reflect the intent of the Congress.

Mr. President, I wish to thank the distinguished chairman of the subcommittee, the Senator from Nevada (Mr. BIBLE), for his patience in this matter of users' fees over 2 years that I know

of personally. I express my appreciation for his hard work and effort to see that this very difficult question not only has been resolved but finally resolved to everyone's benefit and satisfaction.

Mr. BIBLE. Mr. President, as the distinguished Senator from Oklahoma said, this users' fee bill has had a rather interesting, long, and extended history to reach this point. We discussed it, cussed it, worked it over again and again. I think that now we have a bill which as amended, satisfies as nearly as we can those who are concerned.

The Senator from Oklahoma had legitimate questions and problems with it. I believe we satisfactorily resolved those problems. It has been checked out by the staff members of the committee and by the Federal agencies. I am advised by them that the amendment suggested by the Senator from Oklahoma does not pose any problems and possibly clarifies, or at least the Senator from Oklahoma believes so, questions the Senator raised. I think the committee report which has been placed in the Record by the distinguished majority whip adequately explains the bill and the intent of the committee.

I have no objection to the amendment.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the name of the Senator from Idaho (Mr. McClure) be added as a cosponsor of the amendment.

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

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

Mr. BIBLE. I yield back my time on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 2044

An act to amend the Land and Water Conservation Fund Act, as amended, to provide for collection of special recreation use fees at additional campgrounds, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 789), as amended (16 U.S.C. 4001-6a), is further amended as follows:

(a) The heading of the section is revised to read:

"ADMISSION AND USE FEES; ESTABLISHMENT AND REGULATIONS".

(b) The second sentence of section 4(a) is amended to read: "No admission fees of any kind shall be charged or imposed for entrance into any other federally owned areas which are operated and maintained by

a Federal agency and used for outdoor recreation purposes."

(c) Subsection (a)(1) is revised to read:

"(1) For admission into any such designated area, an annual admission permit (to be known as the Golden Eagle Passport) shall be available, for a fee of not more than \$10. The permittee and any person accompanying him in a single, private, noncommercial vehicle, or alternatively, the permittee and his spouse, children, and parents accompanying him where entry to the area is by any means other than private, noncommercial vehicle, shall be entitled to general admission into any area designated pursuant to this subsection. The annual permit shall be valid during the calendar year for which the annual fee is paid. The annual permit shall not authorize any uses for which additional fees are charged pursuant to subsections (b) and (c) of this section. The annual permit shall be nontransferable and the unlawful use thereof shall be punishable in accordance with regulations established pursuant to subsection (e). The annual permit shall be available for purchase at any such designated area."

(d) Subsection (a)(2) is revised by deleting in the first sentence "or who enter such an area by means other than by private, noncommercial vehicle."

(e) Subsection (a)(4) is amended by revising the first two sentences to read: "The Secretary of the Interior and the Secretary of Agriculture shall establish procedures providing for the issuance of a lifetime admission permit (to be known as the Golden Age Passport) to any citizen of, or person domiciled in, the United States sixty-two years of age or older applying for such permit. Such permit shall be nontransferable, shall be issued without charge, and shall entitle the permittee and any person accompanying him in a single, private, noncommercial vehicle, or alternatively, the permittee and his spouse and children accompanying him where entry to the area is by any means other than private, noncommercial vehicle, to general admission into any area designated pursuant to this subsection."

(f) In subsection (b) the first paragraph is revised to read:

(b) RECREATION USE FEES.—Each Federal agency developing, administering, providing or furnishing at Federal expense, specialized outdoor recreation sites, facilities, equipment, or services shall, in accordance with this subsection and subsection (d) of this section, provide for the collection of daily recreation use fees at the place of use or any reasonably convenient location: Provided, That in no event shall there be a charge by any such agency for the use, either singly or in any combination, of drinking water, wayside exhibits, roads, overlook sites, visitors' centers, scenic drives, toilet facilities, picnic tables, or boat ramps: *Provided, however,* That a fee shall be charged in picnic areas or at boat ramps for the use of specialized facilities or services such as, but not limited to, electric or gas grills, and mechanical or hydraulic boat lifts: *Provided further,* That in no event shall there be a charge for the use of any campground not having the following—tent or trailer spaces, drinking water, access road, refuse containers, toilet facilities.

(g) In subsection (b) paragraph "(1)" is deleted; the paragraph designation "2" is redesignated as subsection "(c) RECREATION PERMITS.—"; and subsequent subsections are redesignated accordingly.

(h) In new subsection (d) the second sentence is revised to read: "Clear notice that a fee has been established pursuant to this section shall be prominently posted at each area and at appropriate locations therein and shall be included in publications distributed at such areas."

(i) In new subsection (e) the first sentence is revised to read: "In accordance with

the provisions of this section, the heads of appropriate departments and agencies may prescribe rules and regulations for areas under their administration for the collection of any fee established pursuant to this section."

(j) In new subsection (f) the first sentence is revised to read as follows:

"(f) Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1964, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees which are collected by any Federal agency shall be covered into a special account in the Treasury of the United States to be administered in conjunction with, but separate from, the revenues in the Land and Water Conservation Fund: *Provided,* That the head of any Federal agency, under such terms and conditions as he deems appropriate, may contract with any public or private entity to provide visitor reservation services; and any such contract may provide that the contractor shall be permitted to deduct a commission to be fixed by the agency head from the amount charged the public for providing such services and to remit the net proceeds therefrom to the contracting agency."

SEC. 2. Section 6(e)(1) of title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601), is further amended by adding at the end thereof the following:

"Whenever a State provides that the owner of a single-family residence may, at his option, elect to retain a right of use and occupancy for not less than six months from the date of acquisition of such residence and such owner elects to retain such a right, such owner shall be deemed to have waived any benefit under section 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894) and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act."

SEC. 3. Section 9 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601-10a), is further amended by deleting in the first sentence "section 6(a)(1)" and substituting "section 7(a)(1)".

Mr. BIBLE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 12 o'clock noon on Monday. After the two leaders or their designees have been recognized under the standing order, Mr. PROXMIER will be recognized for not to exceed 15 minutes, after which Mr. ROTH will be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business not to extend beyond the hour of 1 p.m., with statements limited therein to 5 minutes.

At the conclusion of transaction or routine morning business the Senate will resume the consideration of the unfinished business, S. 3044. The pending question at that time will be on the adoption of the Weicker amendment No. 1070, on which there is a time limitation of 2 hours, the vote to occur at 3 p.m.

Following disposition of the Weicker amendment the Bellmon amendment No. 1094 will be called up, on which there is a time limitation of 30 minutes. There will be a rollcall vote on that amendment.

Upon the disposition of amendment No. 1094, the Bellmon amendment No. 1095 will be called up, with a time limitation of 30 minutes and a rollcall vote likely will occur thereon.

Upon disposition of amendment No. 1095, the Buckley amendment No. 1081 will be called up, with a 1-hour time limitation, and presumably the yeas and nays will occur thereon.

So it looks as if there will be at least four rollcall votes on Monday next.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. With objection, it is so ordered.

ADJOURNMENT TO MONDAY

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 12 o'clock noon Monday.

The motion was agreed to; and at 1:34 p.m. the Senate adjourned until Monday, April 1, 1974, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate on March 29, 1974:

DEPARTMENT OF STATE

Leonard Kimball Firestone, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

THE JUDICIARY

Wendell A. Miles, of Michigan, to be U.S. district judge for the Western District of Michigan vice Albert J. Engel, elevated.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 29, 1974:

IN THE COAST GUARD

Rear Adm. Owen W. Siler, U.S. Coast Guard, to be Commandant of the U.S. Coast Guard for a term of 4 years with the grade of admiral, while so serving.

Rear Adm. Ellis Lee Perry, U.S. Coast Guard, to be Vice Commandant of the U.S. Coast Guard with the grade of vice admiral, while so serving.

IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

National Oceanic and Atmospheric Administration nominations beginning Warren K. Taguchi, to be lieutenant commander, and ending Michael A. Gzym, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 1974.