

ment of Defense on H.J. Res. 1089, 93d Congress, a joint resolution "Assuring compensation for damages caused by nuclear incidents involving United States nuclear powered warships."

The purpose of this resolution is to create a new and separate settlement authority, pursuant to which U.S. warship nuclear reactor related claims could be paid out of contingency funds or by special appropriation in accordance with procedures, and subject to conditions, to be promulgated by the President.

This resolution would greatly assist the Navy in obtaining nuclear powered warship entry into many foreign ports currently denied the United States.

It is recommended that the resolution be amended as follows:

(1) the title, by deleting "United States nuclear powered warships" and inserting in lieu thereof, "the nuclear reactor of a United States warship";

(2) the third clause of the preamble, by deleting "utilization of nuclear equipment" and inserting in lieu thereof, "operation of a nuclear reactor";

(3) the fourth clause of the preamble, by deleting "United States nuclear powered warships" the first time it appears, and inserting in lieu thereof, "nuclear reactor of a United States warship";

(4) line 5 on page 2 of the resolution by deleting "resulting" and inserting in lieu thereof, "proven to have resulted";

(5) lines 6 and 7 on page 2 of the resolution by deleting "a utilization facility in a United States nuclear powered" and inserting in lieu thereof, "the nuclear reactor of a United States"; and

(6) line 8 on page 2 of the resolution by deleting "or" and inserting following "damage", " , or loss".

Subject to the above, the Department of Defense strongly supports the joint resolution.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report for the consideration of the Committee, and that enactment of this proposal would be consistent with the Administration's program.

Sincerely,

J. R. SCHLESINGER.

DEPARTMENT OF STATE,
AMBASSADOR AT LARGE,

Washington, D.C., September 17, 1974.

HON. MELVIN PRICE,

Chairman, Joint Committee on Atomic Energy, House of Representatives, Washington, D.C.

MR. CHAIRMAN: The Joint Committee has asked for the Department's views on the draft resolution (H.J. Res. 1089) which has recently been introduced concerning the liability of U.S. nuclear powered warships in the event of a nuclear incident.

The Department of State has in recent years been involved in negotiations with a number of foreign governments concerning the question of visits by U.S. nuclear powered warships to foreign ports. These visits are important to us in maintaining the effectiveness of our growing nuclear fleet. Some governments have been reluctant to accept the ships in their ports because of our inability to give assurances concerning liability and indemnification which they consider adequate. I believe that in a number of cases, by confirming Congressional support for the policy of paying claims and judgments, the proposed resolution might effectively resolve this problem and permit visits to take place.

As you know, the nuclear warship liability question has been raised in connection with the renegotiation of the Spanish Base Agreement. Prompt Congressional action on the resolution would provide us with an addi-

tional negotiating flexibility and might make possible a mutually acceptable resolution of this issue.

For these reasons the Department of State supports H.J. Res. 1089, and I am grateful to you for inviting us to comment upon it. I apologize for the tardiness of this reply.

Sincerely,

ROBERT J. McCLOSKEY.

The Department of Defense has suggested some minor changes in language, which have been incorporated in the text of the substitute bill House Joint Resolution 1161 which Mr. PRICE and I cosponsor are introducing today.

Mr. Speaker, House Joint Resolution 1161 is long overdue. I can assure this House of the complete support of the joint committee and would hope that we could move quickly to adopt this proposal.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON), is recognized for 10 minutes.

[Mr. ROBISON of New York addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

FEDERAL ELECTION CAMPAIGN ACT CONFERENCE REPORT: RELAPSES, LOOPHOLES, AND OTHER MISREFORMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, although S. 3044 tightens the campaign disclosure requirements of the 1971 law in one or two ways, there are at least three ways in which the bill weakens the present disclosure law:

First. It reduces the number of reports that candidates must file.

Under the current Federal Election Campaign Act of 1971, candidates must file 15-day and 5-day preprimary and preelection reports.

S. 3044 strikes this requirement and says candidates must file a single report to be submitted 10 days before each primary and general election. These pre-election reports unfortunately must be complete only "as of the 15th day before" the election.

In 1976, therefore, any receipts or expenditures after October 18—except those in excess of \$1,000—will go completely unreported until "not later than the 30th day after" the election.

Second. It reduces the information required of candidates and political committees.

Under current law, contributors must be fully identified by mailing address, occupation, and principal place of business if any. S. 3044 will strike this requirement and substitute simply "identification."

Third. It grants a considerable reporting loophole exclusively to incumbent Members of Congress.

The wording of this provision is clear and bold:

(d) This section does not require a Mem-

ber of Congress to report, as contributions received or as expenditures made, the value of photographic, matting, or recording services furnished to him by the Senate Recording Studio, the House Recording Studio, or by an individual whose pay is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives and who furnishes such services as his primary duty as an employee of the Senate or House of Representatives, or if such services were paid for by the Republican or Democratic Senatorial Campaign Committee, the Democratic National Congressional Committee, or the National Republican Congressional Committee.

Hence, instead of limiting the use of House and Senate resources for re-election purposes, the bill actually encourages the use of incumbent resources and specifically exempts at least some of them from the disclosure law.

In fact, given this exemption from reporting our costs for in-house photographic and recording services, what is there to prevent the Members of Congress from ordering all campaign photographic and recording services through the House Recording Studio? We all know the prices we pay for color video tapes. This could amount to literally thousands of dollars—all of them unreportable for the lucky incumbents.

Such a special exemption for incumbents, combined with the strict limits on spending, will help to lock incumbents to their seats in both parties and both Houses for years to come.

Perhaps the most inequitable feature of the bill is not, however, in its loopholes for incumbents or its limits on spending, but in the way it deliberately injures independent candidates who seek congressional office. While the bill sets a spending limit of \$70,000 for a House seat, the conferees decided to allow major party committees other than the principal campaign committees to make expenditures on behalf of congressional candidates. An additional expenditure of 2 cents per voter is available to congressional candidates who are Republicans or Democrats, but no such extra spending is possible for those who run without benefit of party. Thus, for most of us the spending ceiling is actually about \$88,000, but for an individual running as independents—an opportunity we in the United States pride ourselves in granting—the spending limit is the strict and inequitable \$70,000.

There are further inequities as regards the public financing for Presidential primary races.

A candidate who is given \$250 by a big contributor will be rewarded with \$250 from the U.S. Treasury. But a candidate who is given \$1 will receive only \$1 from the U.S. Treasury.

And, most seriously of all, any party that has a great many Presidential candidates will receive for greater sums from the U.S. Treasury.

Had S. 3044 been in effect in 1972, Democratic candidates for President would have received 10 times as much public money as Republican candidates—simply because so many candidates were running. Here are the figures, based on approximate amounts received and spent in the 1972 primaries:

1972 PRESIDENTIAL PRIMARY RACES

Candidate	Approximate amount spent	Amount Government would have contributed	Party totals from Government
Jackson.....	1,200,000	1,200,000	.....
Humphrey.....	4,000,000	4,000,000	.....
Wallace.....	3,000,000	3,000,000	.....
Muskie.....	7,000,000	5,000,000	.....
McGovern.....	12,000,000	5,000,000	.....
Chisholm.....	300,000	300,000	.....
Hartke.....	175,000	175,000	.....
Yorty.....	120,000	120,000	.....
Bayh.....	750,000	750,000	.....
Harris.....	330,000	330,000	19,875,000
Hughes.....	200,000	200,000	.....
Nixon.....	800,000	800,000	.....
McCluskey.....	750,000	750,000	.....
Ashbrook.....	350,000	350,000	1,900,000

While the above figures are necessarily approximate because the conference report has been available now for only 48 hours, it is appallingly apparent that the bill heavily favors whichever major party happens to be divided into many camps and a whole field of candidates. Are we to promote this division with public funds?

Should S. 3044 become the law of the land, Mr. Speaker, I confidently predict we will see a growing number of shadow candidates in American Presidential primaries. Never before have we in politics seen such a painless and appealing way to come to the aid of our party. But, of course, it will not help strengthen either party. It will divide and weaken us ever more, because the Federal dollars will really go to personal campaign committees—"the CREEPs of 1976," as the astute observer David Broder calls them—rather than to either or any of our political parties.

Mr. Speaker, I support many of the separate parts of this bill. I especially support the independent elections commission, and I am pleased by the newly proposed requirement that contributions and expenditures in excess of \$1,000 must be reported within 48 hours when they come after the closing reporting date before a primary or general election.

But there are many features of this conference report that will haunt the American people for years to come. In addition to the loopholes and problems already mentioned, I must object to the needless and mischievous provision requiring "Reports by Certain Persons." I refer to the so-called Common Cause Amendment. There is no reason to require of Common Cause, the League of Women Voters, the Americans for Constitutional Action, and other groups of voluntary citizens who do not contribute to candidates, any special reports—simply because they have exercised the basic right of telling Members of Congress what they think. This is frivolous law-making at best.

In the face of these serious reservations, I find no alternative to voting against S. 3044, and I strongly urge my colleagues to reject it with me.

COMMITTEE REFORM AMENDMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANDERSON) is recognized for 15 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, while I voted for the so-called Committee Reform Amendments on final passage last night, the Democratic Caucus substitute which was adopted in place of our bipartisan select committee's resolution is hardly deserving of such a grandiose title. It is the better part of political wisdom to settle for half a loaf rather than no loaf at all; but in the case of the Hansen substitute, I fear we settled for considerably less—a few crumbs and a stale heel. While the Hansen substitute is not completely without any redeeming social value, the fact remains that it misses the entire point of what our Select Committee set out to do and did indeed propose in House Resolution 988. That goal was a more rational functional realignment of our committee jurisdictions—something we have not done in 28 years—and a committee assignment procedure whereby Members could not be spread so thin and would be able to concentrate their energy and efforts in a single major committee.

Mr. Speaker, any objective analysis of the final product of these two weeks of debate will reveal that we have fallen far short of our goal to reform the House committee system. What we have done instead is to make a few minor jurisdictional changes and some important procedural changes. Why we fell short is not difficult to understand. The sad fact is that we never got around to really debating the resolution which was reported by the Select Committee on Committees, House Resolution 988. Instead, we spent our entire time wandering through the parliamentary jungle of substitutes, mainly the Hansen substitute, and amendments thereto. In so doing, we completely avoided coming to grips with the philosophical, practical, and institutional issues raised by the Bolling resolution.

There was some quibbling last night over whether the Hansen substitute was a partisan product. This question can be viewed in two ways. Obviously it was a partisan product from the standpoint that the work of a completely bipartisan select committee was preempted and coopted by a partisan caucus committee and reshaped to suit the needs of the power barons who controlled that partisan committee. On the other hand, it was not a partisan product from the standpoint that the majority party gained substantial new advantages or powers over the present arrangement in the House. I think a more accurate description of what finally emerged is that it is a status quo power product. Whereas the Bolling committee approached its task from the angle of how can we better improve the House of Representatives as an institution, the caucus task force approached its task from the angle, how can we protect our present powers? And that is why we failed to achieve any substantial reform of our committee system.

Mr. Speaker, this whole exercise only underscores and highlights the major deficiencies of the House as an institution and the built-in obstacles to meaningful reforms aimed at improving our ability to grapple with contemporary problems. The disappointing final prod-

uct can be partially understood by the manner in which it was conceived. In contrast to the Bolling Committee which held extensive open hearings and open markup sessions, the Hansen committee was assigned its task in secret caucus by a secret, nonrecorded vote. The committee then proceeded with secret deliberations and markup. There is no public record as to what factors or persons influenced those decisions, though the results offer important clues as to what they might have been.

Mr. Speaker, even if the caucus had been completely open about this whole exercise, I submit it would still be a travesty on our legislative system for it establishes the precedent of a partisan caucus becoming a superlegislative committee designed to superimpose its will and decisions on that of one of our legitimate committees, and ultimately, on the House. But openness and accountability to the people are not attributes of the caucus system, and thus the travesty is compounded. For not only is this a travesty against our legitimate legislative process, but against the American people as well.

Mr. Speaker, on numerous previous occasions I have warned against what I view as a dangerous precedent which may lead to rule by "King Caucus." While some components of the caucus reform package may be commendable, this in no way compensates for the fact that caucus intervention of this nature and magnitude throws a monkey wrench into the entire legislative operation and renders the work of our standing committees meaningless. Not only were we forced in the Rules Committee, by caucus instructions, to make the caucus substitute the first order of business during the amendment process, but there was even some serious talk about providing equal time for the caucus committee during general debate, thus according it even greater recognition and legitimacy. This latter necessity was averted by an informal, gentleman's agreement that the Hansen forces would be allotted nearly 40 percent of general debate time. One seriously wonders whether under the new discretion given to the Speaker, refer legislation to more than one committee, the caucus will have standing for the purposes of bill referral. It may not be necessary if the caucus pursues its recent practice of imposing binding instructions on the Democratic members of standing committees as to what they will and will not do legislatively.

If King Caucus continues to flex his muscles in the next Congress by preempting or dictating the work of our standing committees, we will likely be up against more parliamentary hassles of the sort we have just witnessed. Had the deck not been stacked by binding instructions in the Rules Committee, I was prepared to offer either a rule barring any substitute resolutions or at least preventing consideration of the Hansen substitute until after the Bolling resolution was defeated. This still would have permitted any and all germane amendments to the Bolling resolution, and, most importantly, would have forced the House to seriously debate the compre-