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[Suspense]

Boland"

(WEGE, Peter M.)

re: Canadian time

October 12, 1967

Mr. Peter M. Wege  
450 Old Kent Bank Building  
Grand Rapids, Michigan 49502

Dear Pete,

I have your letter of October 11 concerning David Boland's timber case.

Dave has written me about the decision and I have asked the Department of State to investigate the matter and to supply us with its recommendations for further action.

As soon as I have this information from the Department I will be in touch with Dave.

Warmest personal regards.

Sincerely,

Gerald R. Ford, MC.

GRF:rm



*See p 17*

REPORT

OF THE

COMMITTEE ON STANDARDS  
OF OFFICIAL CONDUCT

OF THE

HOUSE OF REPRESENTATIVES

NINETIETH CONGRESS

SECOND SESSION

UNDER THE AUTHORITY OF H. RES. 418

*Melvin Price*

Melvin Price, Chairman

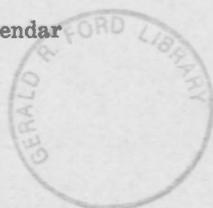


MARCH 14, 1968.—Referred to the House Calendar  
and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1968

91-318 O



REPORT

OF THE

COMMITTEE ON STANDARDS

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT  
(Pursuant to H. Res. 418, 90th Cong., first sess.)

MELVIN PRICE, Illinois, *Chairman*

OLIN E. TEAGUE, Texas

CHARLES A. HALLECK, Indiana

JOE L. EVINS, Tennessee

LESLIE C. ARENDS, Illinois

WATKINS M. ABBITT, Virginia

JACKSON E. BETTS, Ohio

WAYNE N. ASPINALL, Colorado

ROBERT T. STAFFORD, Vermont

EDNA F. KELLY, New York

JAMES H. QUILLEN, Tennessee

LAWRENCE G. WILLIAMS, Pennsylvania

JOHN M. SWANNER, *Staff Director*

BENNETT WOLFE, *Assistant Staff Director*

Hon. BROOKS HAYS, *Special Consultant*

(II)

UNDER THE AUTHORITY OF H. RES. 418



March 14, 1968—Referred to the House Calendar  
and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1968

0716-10

LETTER OF SUBMITTAL

MARCH 14, 1968.

Hon. JOHN W. McCORMACK,  
*Speaker of the House,  
House of Representatives,  
Washington, D.C.*

DEAR MR. SPEAKER: I have the honor of submitting herewith the report of the Committee on Standards of Official Conduct in response to House Resolution 418, adopted April 13, 1967.

This resolution established this bipartisan committee with a directive to "recommend as soon as practicable to the House of Representatives such changes in laws, rules, and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House."

Pursuant thereto, the committee transmits its report, with recommendations.

With highest regards,  
Sincerely,

M. C.

MELVIN PRICE, *Chairman.*

(III)

LETTER OF SUBMITTAL

MARCH 14, 1968

Hon. John W. McClellan, Chairman, House of Representatives

Washington, D.C.

Dear Mr. Chairman: I have the honor to acknowledge the receipt of your letter of April 13, 1968, regarding the House of Representatives' Committee on Standards of Official Conduct. The report of the Committee, dated April 13, 1968, is being prepared and will be submitted to you as soon as possible. The report will contain recommendations for changes in the rules and regulations of the House of Representatives, and will also contain recommendations for changes in the conduct of Members, officers, and employees of the House.

With highest regards,  
Sincerely,

*Melvin Price*

MELVIN PRICE, Chairman

REPORT HIGHLIGHTS ON RECOMMENDATIONS

Establishment of the present Committee on Standards of Official Conduct as a permanent standing committee of the House with powers to enforce standards of conduct hereinafter proposed.

Public disclosure of certain assets, income, gifts, and so forth; private filing of more detailed information which could be made public in event of an investigation.

Modernization of the Federal Corrupt Practices Act to bring about strict management of the House's funds and reports of expenditures for use of so-called "contingent funds" and reports of expenditures therefrom.

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Accept no honorarium for a speech, writing for publication, or other similar activity from any person, organization, or institution in excess of the actual and reasonable expenses for such activity.

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## HIGHLIGHTS OF RECOMMENDATIONS

Establishment of the present Committee on Standards of Official Conduct as a permanent standing committee of the House with powers to enforce standards of conduct hereinafter proposed.

Public disclosure of certain assets, income, gifts, and so forth; private filing of more detailed information which could be made public in event of an investigation.

Modernization of the Federal Corrupt Practices Act to bring about stricter management of political finances.

Clearer guidelines for use of so-called counterpart funds and reporting of expenditures thereof.

Adoption of the following Code of Official Conduct (the language in this presentation is condensed for the sake of brevity):

Members, officers, and employees of the House of Representatives shall—

1. Conduct themselves at all times in a manner which shall reflect creditably on the House.

2. Adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.

3. Receive no compensation nor permit any to accrue to their beneficial interest, the receipt of which would occur by virtue of influence improperly exerted from their positions in the Congress.

4. Accept no gifts of substantial value from any person, organization, or corporation having a direct interest in legislation before the Congress.

5. Accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

6. Keep campaign funds separate from personal funds. No campaign funds shall be converted to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures.

7. Treat as campaign contributions all proceeds from testimonial or other fundraising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

8. Retain no one from their clerk-hire allowance who does not perform duties commensurate with the compensation he receives.

(VI)

## REPORT OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT OF THE HOUSE OF REPRESENTATIVES, 90TH CONGRESS, SECOND SESSION

### PART I

#### INTRODUCTION

The House created this committee on April 13, 1967, with instructions "to recommend as soon as practicable to the House of Representatives such changes in laws, rules, and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House."

The authorizing resolution provided for a bipartisan committee of 12 members, and on May 1, 1967, six members of the Democratic majority and six from the Republican minority were chosen to constitute the committee, thus signifying that the assignment would be carried out without partisanship.

In this spirit and mindful of the fact that matters of ethical conduct are not subject to the justifiable differences of opinion that characterize public policy questions, the committee undertook its task.

The committee believes that its performance has been responsive to both the letter and the spirit of its assignment and respectfully submits this report with the recommendation that the House take appropriate action to implement the proposals contained therein.

#### BACKGROUND

For much of the history of this country the question of restraints that might properly be placed on the legislative role has occupied scholars of self-government systems. In the most ideal sense any limitation on the representative role is unthinkable for it is at the same time a limitation on the constituent. But the private citizen also evidences that he recognizes his representation as not absolute and requires in the interest of orderly processes in his Government that certain standards be met by his representative in Congress. These requirements find expression in the Constitution, the statutes and rules of legislative bodies, and, as in other human institutions, they need revision with changing conditions.

But revision in the rules of institutions of such proven durability as the House of Representatives properly should take place only in response to clearly demonstrated need and genuine public concern.

Although there is some history of this need and concern even prior to that indicated in the following figures, the tabulation reflects the growing demand for congressional action in this area and offers ample evidence of the appropriateness of this committee's assignment.

(1)

The tabulation shows the number of proposals relating to standards of official conduct which have been introduced in recent Congresses:

Congress	House	Senate	Total
85th	12	8	20
86th	10	7	17
87th	10	4	14
88th	63	5	68
89th	72	9	81
90th (1st sess.)	169	10	179
<b>Total</b>	<b>336</b>	<b>43</b>	<b>379</b>

In the last 3 years several events of national interest involving Members and employees of the Congress have focused much attention on the question of congressional ethics. This is not to say there was not already a formal code of ethics, as well as the rules of both bodies and certain statutes applicable to the conduct of the Members of the Congress; but the absence of a well-organized framework providing some cohesiveness around these proscriptions made it difficult to view the sum of them in perspective.

The Senate on July 24, 1964, adopted a resolution (S. Res. 338, 88th Cong.) creating a Select Committee on Standards and Conduct, empowering it to "receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto. \* \* \*" The Senate select committee was instructed also to make recommendations for establishment of a code of ethics for dealing with related matters.

The House on October 19, 1966, established a select committee (H. Res. 1013, 89th Cong.) of 12 Members with a directive to make recommendations for additional rules and regulations "\* \* \* necessary or desirable to insure proper standards of conduct by Members of the House and by officers or employees of the House, in the performance of their duties and the discharge of their responsibilities \* \* \*." The select committee, existing as it did for only a few months at the end of the 89th Congress, submitted a report (No. 2338, 89th Cong.) of considerable merit, but obviously, in such a short time, the report could not reach to great depth in all the questions that seemed to demand attention.

After the opening of the 90th Congress, a number of resolutions aimed at the same general objectives were introduced. More than 100 such resolutions were referred to the Committee on Rules which, after hearings and extensive consideration, reported out House Resolution 418.

The resolution was adopted 400 to 0 by the House on April 13, 1967.

#### ASSESSING THE TASK

The committee's first step was to organize and more precisely define its assignment. The importance of certain sources of input into the committee's deliberations was apparent from the outset and, equally important, the committee felt, was that all viewpoints should be heard.

As may be seen from the organizational chart in the appendix, various sources were called upon.

The committee issued a large number of invitations seeking testimony or submission of statements for its consideration. These were directed to major national organizations in the fields of industry, labor, the professions, politics, and the news media, as well as to prominent figures in law and political science, special groups working on similar or identical projects, and through the press to the general public. The contributions from those who responded were invaluable to the committee. But the great majority of the invitations was declined or ignored.

Simultaneously the committee issued invitations, through a speech in the House by the chairman and through individually addressed letters to all Members of the House. In response, 30 Members testified before the committee and 24 others submitted statements. The committee held seven public hearings, the printed record of which is available.

Additionally, studies were made of standards of conduct in force in other nations, States of the Union and U.S. cities; the work of the prior Select Committee on Standards and Conduct was reviewed; and prior legislation introduced on the topic was studied, to provide broadly based source material.

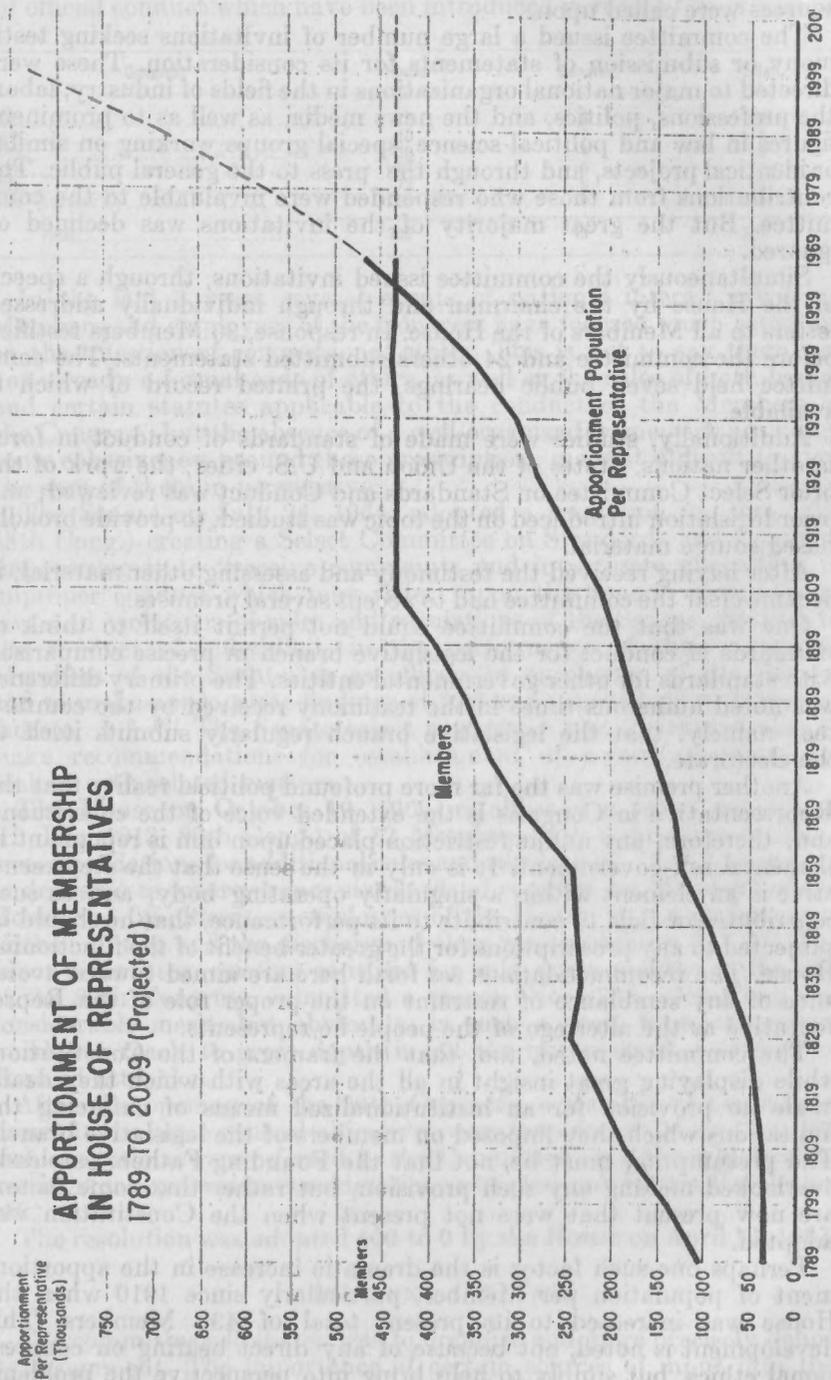
After having received the testimony and assessing other material, it became clear the committee had to accept several premises.

One was that the committee could not permit itself to think of standards of conduct for the legislative branch in precise comparison with standards for other governmental entities. The primary difference was noted numerous times in the testimony received by the committee—namely, that the legislative branch regularly submits itself to the electorate.

Another premise was the far more profound political reality that the Representative in Congress is the extended voice of the constituent, and, therefore, any undue restriction placed upon him is repugnant to elemental self-government. It is only in the sense that the Representative is an element within a singularly operating body, and as such contributes or fails to contribute to its performance, that he should be subjected to any proscriptions for the greater benefit of the functioning House. The recommendations set forth here are aimed toward avoidance of any semblance of restraint on the proper role of the Representative as the alter ego of the people he represents.

The committee noted, too, that the framers of the Constitution, while displaying great insight in all the areas with which they dealt, made no provision for an institutionalized means of enforcing the limitations which they imposed on members of the legislative branch. The presumption must be, not that the Founding Fathers carelessly overlooked making any such provision, but rather that some factors are now present that were not present when the Constitution was adopted.

Perhaps one such factor is the dramatic increase in the apportionment of population per Member, particularly since 1910 when the House was increased to its present total of 435 Members. This development is noted, not because of any direct bearing on congressional ethics, but simply to help bring into perspective the problems of a Member in communicating effectively with ever increasing numbers of constituents.



As the committee work progressed and it began deliberations on specific questions of conduct, other considerations were indicated.

There are, of course, some questions of ethical conduct which do not yield to categorical judgments, and the committee does not insist that this report contains the last word of conscience or wisdom. It might even be said that one clear value of the study and of House consideration of the committee's proposals is the sparking of a dialog across the country on the basic questions of conduct, not only of Representatives in Congress but of all who occupy places of responsibility in government service.

Men, equally conscientious, sometimes take opposite views of particular questions of conduct. Nevertheless, the committee is unanimous in the conviction that some questions do not yield to individual opinions—they are rigid and immutable. The language of an ancient proponent of rectitude in the public service, Cicero, states the point in eloquent terms:

True law is right reason in agreement with nature \* \* \* unchanging and everlasting \* \* \*. We cannot be freed from its obligations by senate or people, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and all times \* \* \*.

The committee does not regard its recommendations, hereinafter set forth, as completing its task. While the concise code, as recommended, is based upon abstract principles of public morality and will doubtless be little affected by changed conditions, even that enumeration of principles may in time be improved upon.

It is the conviction of your committee that the record of the Congress, over a period of almost two centuries, is by and large an excellent one and that, in spite of the rare departures from rectitude, the maintenance of ideals of political and personal integrity has been a matter of genuine concern to the overwhelming majority of our national legislators.

In the few months of its existence, the committee has made a determined effort to proceed with all practicable speed in the performance of its difficult and delicate assignment. But the committee felt the thoroughness of its studies and the soundness of its recommendations should not be impaired by any effort to rush its report to the House.

The committee emphasizes that it regards its proposals not as the full answer to the maintenance of ethical standards of conduct but as a meaningful beginning. The committee contemplates that the proposed code of standards, if adopted, will be subject to revision and refinement as experience and developments indicate. The provisions recommended herein for the disclosure of certain financial details may prove in practice not as workable as they do in the hypothetical. These, too, may need modification as experience dictates.

The committee acknowledges with appreciation the help offered by other Members of the House and the outside witnesses who accepted invitations to testify. And a special vote of thanks is due, the com-

mittee feels, to a predecessor committee, the Select Committee on Standards and Conduct, of which Representative Charles E. Bennett, of Florida, served as chairman, for the spadework it did during its short-lived tenure in the second session of the 89th Congress.

It is not the purpose of this report to rehash the work of the predecessor committee. It is to state the views of the committee on the basic questions of conduct, not only in the House of Representatives but of all who occupy places of responsibility in government service.

It is equally recognized, however, that the views of the committee on the basic questions of conduct are not only of interest to the House of Representatives but of interest to the public service. The language of the report is therefore directed to the public service, not only to the House of Representatives but to all who occupy places of responsibility in government service.

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The following is a summary of the recommendations contained in this report. The rationale leading up to each specific recommendation is discussed in the third part.

**PART II**

**SUMMARY OF RECOMMENDATIONS**

The following is a summary of the recommendations contained in this report. The rationale leading up to each specific recommendation is discussed in the third part.

**RECOMMENDATION NO. I—PERMANENT COMMITTEE**

Amendment of the Rules of the House to incorporate this committee as a permanent standing committee of the House of Representatives.

**RECOMMENDATION NO. II.—POWERS AND LIMITATIONS OF THE COMMITTEE**

Investment of the following powers in the committee:

1. To have referred to it measures relating to the code of official conduct and measures relating to financial disclosure for Members, officers, and employees of the House of Representatives.
2. To recommend to the House of Representatives, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House of Representatives.
3. To investigate, subject to limitations, any alleged violation, by a Member, officer, or employee of the House of Representatives, of the code of official conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities and, after notice and a hearing, the committee shall recommend to the House of Representatives, by resolution or otherwise, such action as the committee may deem appropriate in the circumstances.
4. To report, to the appropriate Federal or State authorities, with the approval of the House of Representatives, any substantial evidence of a violation, by a Member, officer, or employee of the House of Representatives, of any law applicable to the performance of his duties or the discharge of his responsibilities which may have been disclosed in a committee investigation.
5. To give consideration to the request of a Member, officer, or employee of the House of Representatives for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees.

Establishment of the following *limitations* on the committee's authority:

1. No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House of Representatives shall be made, and no investigation of such conduct shall be undertaken, unless approved by the affirmative vote of not less than seven members of the committee.

2. Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only (A) upon receipt of a complaint, in writing and under oath, made by or submitted to a Member of the House of Representatives and transmitted to the committee by such Member, or (B) upon receipt of a complaint, in writing and under oath, directly from an individual not a Member of the House of Representatives if the committee finds that such complaint has been submitted by such individual to not less than three Members of the House of Representatives who have refused, in writing, to transmit such complaint to the committee.

3. No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

4. A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House of Representatives shall designate a Member of the House of Representatives from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

#### RECOMMENDATION NO. III.—CODE OF OFFICIAL CONDUCT

Amendment of the Rules of the House to establish this code of official conduct for Members, officers, and employees of the House of Representatives:

1. A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

2. A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.

3. A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

4. A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value, directly or indirectly, from any person, organization or corporation having a direct interest in legislation before the Congress.

5. A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization or corporation in excess of the usual and customary value for such services.

6. A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. He shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures. He shall expend no funds from his campaign account not attributable to bona fide campaign purposes.

7. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

8. A Member of the House of Representatives shall retain no one from his clerk hire allowance who does not perform duties commensurate with the compensation he receives.

#### RECOMMENDATION IV.—FINANCIAL DISCLOSURE

Amendment of the rules of the House to require that Members, officers, principal assistants to Members and officers, and professional staff members of committees shall, not later than April 30, 1969, and by April 30 of each year thereafter, file with the Committee on Standards of Official Conduct a report disclosing certain financial interests, as described below. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts, hereinafter designated part A and part B.

##### Part A

(1) List the name, instrument of ownership, and any position of management held in any business entity doing a substantial business with the Federal Government or subject to Federal regulatory agencies, in which the ownership is in excess of \$5,000 fair market value as of the date of filing or from which income of \$1,000 or more was derived during the preceding calendar year. Do not list any time or demand deposit in a financial institution, or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

(2) List the name, address, and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director, or partner, or serves in any advisory capacity, from which income of \$1,000 or more was derived during the preceding calendar year.

(3) List the source of each of the following items received during the preceding calendar year:

(a) Any income for services rendered (other than from the U.S. Government) exceeding \$5,000.

(b) Any capital gain from a single source exceeding \$5,000, other than from the sale of a residence occupied by the person reporting.

(c) Reimbursement for expenditures (other than from the U.S. Government) exceeding \$1,000 in each instance.

Campaign receipts shall not be included in this report.

Information filed under part A shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe including, but not limited to, regulations requiring identification by name, occupation, address, and telephone number of each person examining information filed under part A and regulations requiring the committee promptly to notify each Member of the House of Representatives of each instance of an examination of information filed under part A by such Member.

#### Part B

(1) List the fair market value (as of the date of filing) of each item listed under paragraph 1 of part A and the income derived therefrom during the preceding calendar year.

(2) List the amount of income derived from each item listed under paragraphs 2 and 3 of part A.

The information filed under part B shall be sealed by the person filing and shall remain sealed unless the Committee on Standards of Official Conduct, pursuant to its investigative authority, determines by a vote of not less than seven members of the committee that the examination of such information is essential in an official investigation by the committee and promptly notifies the Member concerned of any such determination. The committee may, by a vote of not less than seven members of the committee, make public any portion of the information unsealed by the committee under the preceding sentence and which the committee deems to be in the public interest.

Any person required to file a report who has no interests covered by any of the above provisions shall file a report so stating.

In any case in which a person required to file a sealed report under this part B is no longer required to file such a report, the committee shall return to such person, or his legal representative, all sealed reports filed by such person under part B and remaining in the possession of the committee.

#### RECOMMENDATION NO. V.—APPLICATION TO CANDIDATES

That the chairmen of national political committees, in turn, recommend to candidates seeking nomination or election to the House of Representatives, under the sponsorship of the respective parties, that such candidates comply with all provisions of the code of official conduct insofar as they are applicable.

#### RECOMMENDATION NO. VI.—COUNTERPART FUNDS

That the Committee on House Administration recommend revisions in law and regulations to provide for standardizing the controls over the use by committees of counterpart funds for travel outside the United States and full reporting and adequate review of such reports in the House of Representatives.

#### RECOMMENDATION NO. VII.—CORRUPT PRACTICES

That the House take prompt action to review the entire body of law in areas covered by the Federal Corrupt Practices Act and enact measures realistically applicable to present day situations.

### PART III

#### COMMENT ON THE RECOMMENDATIONS

##### RECOMMENDATION NO. I.—PERMANENT COMMITTEE

That the Rules of the House of Representatives be appropriately amended to incorporate this Committee as a permanent standing committee of the House.

Pivotal to the remaining portion of this report is the recommendation that the Rules of the House be amended to make this committee a permanent standing committee of the House, not just of this 90th Congress. The reasons for this are several.

On April 9, 1963, Chairman Omar Bureson of the Committee on House Administration, during hearings before his committee, stated:

Incidentally, the record should show at this point that this committee is not charged by law or under the Rules of the House of Representatives with making this type investigation. It is not charged with the responsibility or the authority of overseeing the conduct of Members of Congress.

Nor is any other committee so charged. Although there have been rules and constitutional provisions relating to the official conduct of Members from the First Congress, there never has existed an institutionalized body or means expressly directed toward monitoring them. Historically, infractions usually have been dealt with when the severity or exposure of them took on such public weight as to demand that the House appoint a special committee to deal with a problem ad hoc. There have been instances when standing committees pursuing other avenues of investigation chanced upon apparent misconduct on the part of a Member and sought permission of the House by resolution to extend the scope of their investigation to deal with the discovered infraction. But both of these approaches are slow of implementation and tend to become effective only after unsavory practices have proliferated into abuse.

In the extreme, one can envision a permanent standing committee as a vehicle of continuing inquisition, if the powers sought here were carelessly placed or injudiciously handled once placed. That this would not be the case, now or in the future, should be assured by the fact that the members of the committee are also Members of the House who are elected as are other committee members and are subject to the same rules and procedures which they will administer. Beyond this, of course, is the fact that the committee can only recommend definitive action to the full House. Even greater insurance is provided by the spelling out in the authorizing resolution, in more precise and detailed language than usual, the functions of the committee, thus leaving less latitude to the internal rules of the committee.

This committee is convinced that a more streamlined procedure for the handling of allegations of infractions, provided that procedure is held

in restraint by both legislative and practical influences, will not only be able to cope with situations before they bring discredit to the Congress, but, more importantly, will deter most such situations from developing.

Some instrumentality, preferably the continuing committee, must necessarily serve as the determinant of the subjective terms necessary in spelling out the Code of Official Conduct. An essential difference between a statute and a standard is that the former usually is capable of precise definition and therefore may be objectively tested, whereas the latter can only be stated in subjective language and must rely on the facts as determined in each situation. If it should be necessary to measure an allegation against a standard, that measurement will be as meaningful as the depth to which the measuring body draws out the facts and nuances. Clearly this can be done better by a body smaller and more flexible than the entire House, and one that is more acquainted with the history and development of the standards and enforcement procedures, than special committees created to deal only with individual cases as they arise.

##### RECOMMENDATION NO. II.—POWERS AND LIMITATIONS OF THE COMMITTEE

###### *Powers*

Investment of the following powers in the committee:

(1) to have referred to it measures relating to the Code of Official Conduct and measures relating to financial disclosure for Members, officers and employees of the House of Representatives.

The changing conditions over the years that have made desirable the statement of these canons and establishment of means for verifying their observance must be expected to continue. Thus changes in both substance and method will be required as the need is demonstrated. These will come from the less than perfect work, which this committee concedes is present in this report, and also from new situations which are not now predictable. The committee feels that placement of this authority with it is the most suitable means of providing for the orderly treatment of changes which may become necessary in the future—

(2) to recommend to the House of Representatives, from time to time, such legislative or administrative actions as the Committee may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House.

This provision would merely continue the recommendatory jurisdiction contained in the original resolution. Under (1) as stated above, referral jurisdiction would apply only to the Code of Official Conduct and measures relating to financial disclosure. Under (2) the committee would have the broader authority to continue to recommend measures aimed at maintaining highest standards of conduct.

It is readily conceivable that information can come to the committee, through an investigation or a variety of other means, which would suggest remedies to existing or impending situations. Such remedies might be recommendations for House action as a whole or proposals

directed at a particular committee, or possibly even recommendations for new statutes or amendments to existing ones. Recommendations in the latter category, with or without the accompaniment of implementing legislation, would insure referral to the committee in which the appropriate jurisdiction resides, and from which could be expected greater expertise. Of prime importance, however, is the existence of a continuing authority to take the initiative to address the House on practices which, if ignored, could bring irreparable harm.

(3) to investigate, subject to limitations, any alleged violation, by a Member, officer, or employee of the House of Representatives, of the Code of Official Conduct, of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities and, after notice and a hearing, the Committee shall recommend to the House of Representatives, by resolution or otherwise, such action as the Committee may deem appropriate in the circumstances.

Recent history offers vivid evidence of the need for enforcement machinery to accompany any code of conduct. A mere statement of guidelines serves neither as a deterrent to improper conduct nor as a yardstick for punitive action, in the absence of means that demand respect for the guidelines. Enforcement is the substance that makes standards meaningful. It would arm the House with the weapon needed to defend itself, and, in truth, make it the judge of its own membership.

It must be stressed, however, that the powers contained in this provision, like any authority under constitutional self-government, need restraints and, as pointed out elsewhere in this section, such restraints are built into the authorizing resolution, and above all, it must be emphasized that in the practical reality any final authority to punish is vested only in the House as a whole.

(4) to report to the appropriate Federal or State authorities, with the approval of the House of Representatives, any substantial evidence of a violation, by a Member, officer or employee of the House of Representatives, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee investigation.

This provision, while generally self-explanatory, differs from many similar ones found in prior bills and resolutions. The difference is that the committee may report only violations of laws applicable to the performance of duties or the discharge of responsibilities, whereas the language of most of such bills and resolutions grants general authority to Congress to report violations to enforcement agencies. The difference may suggest that the committee is laboring a point unworthily, but it is noted simply to reflect the committee's sensitivity to remaining strictly within established boundaries.

(5) to give consideration to the request of a Member, officer or employee of the House of Representatives, for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, officer, or

employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees.

The committee feels that as a continuing body this perhaps could be its most valuable function; certainly it can be an extremely important protective service.

From the outset of its work, the committee has proceeded on the premise that enforcement is a poor substitute for prevention or deterrence. While the committee necessarily requires power to recommend disciplinary action, it sincerely believes there will be little need for using such authority if it can build precedents through published decisions showing how it regards specific acts in their fullest context.

In the committee's hearings, it was pointed out on numerous occasions that there simply has not existed any means of examining an act before the fact, especially in the cases of Members with relatively little seniority. But even among the more senior Members, it was apparent that their understanding of the permitted and the taboo was often more intuitive than guided by specific authority, and was by no means consistent.

It is felt that the Code of Official Conduct recommended herewith should do considerable toward removing any question of doubt but, to the extent to which it fails, the early warning device provided by this recommendation should be invaluable.

#### *Limitations*

At several places in this report, limits on the powers of the committee are recommended. They are—

(1) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House of Representatives shall be made, and no investigation of such conduct shall be undertaken, unless approved by the affirmative vote of not less than seven members of the committee.

Rule XI, clause 26(e), provides, "No measure or recommendation shall be reported from any committee unless a majority of the committee were actually present," and clause 26(h) specifies, "Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which shall not be less than two." Additionally, this committee felt it was important, particularly since it also would render advisory opinions, which are not technically covered by the provisions above referred to, that the House be assured that no recommendations could come to it from the committee unless they represented the views of a majority of the committee's authorized membership. And, no investigation could be undertaken except under the same conditions.

(2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only (A) upon receipt of a complaint, in writing and under oath, made by or submitted to a Member of the House of Representatives and transmitted to the committee by such Member, or (B) upon receipt of a com-

plaint, in writing and under oath, directly from an individual not a Member of the House of Representatives if the committee finds that such complaint has been submitted by such individual to not less than three Members of the House of Representatives who have refused, in writing, to transmit such complaint to the committee.

The committee is fully aware that persons with unworthy motives might seek to lodge irresponsible allegations against Members. This provision would bar the committee from serving such ulterior purposes. In addition, the several thresholds built into the committee's investigative technique (see chart in appendix, page 44) would insure that only those allegations which meet successive tests of legitimacy would ever surface.

It is conceivable, of course, that someone lodging an allegation against a Member might find it impossible to have another Member transmit it to the committee. Upon the written refusal of any three Members to transmit the allegation, the committee would accept it under all other specified terms and conditions. This provision should quieten any notion that a legitimate complaint may be technically avoided.

(3) No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

This limitation insures that the committee can function in its investigative capacity only from the date the authorizing resolution becomes effective. It prohibits the committee from reaching to a prior point in time unless the act or practice was existing before the effective date of the applicable standard and continued thereafter.

The committee also considered limiting the initiation or continuance of any investigation of any Member for a period immediately prior to any primary or general election in which the subject Member may be a candidate. While the general objectives of such a restraint are desirable, the practical effect could be one that would introduce more hazards than it would eliminate. The other general powers and limitations, plus the bipartisan character of the committee, should be adequate to prevent abuses that might arise from "timed" allegations.

(4) A member of the Committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House of Representatives shall designate a Member of the House of Representatives from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

This provision assures that, in the event a member of the committee should become the subject of an investigation, he shall be entitled to precisely the same treatment as any Member of the House who is not a member of the committee.

RECOMMENDATION NO. III.—ADOPTION OF THIS CODE OF OFFICIAL CONDUCT FOR THE HOUSE OF REPRESENTATIVES

(1) A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

Since the Constitution quite clearly makes the House the judge of its own membership, it seems appropriate to summarize in a single standard a tentative description of conduct, by which the House, through referral from this committee, can treat promptly with a given act or an accumulation of acts of a Member which it determines to have reflected discredit on the Congress.

It is possible that a flagrant violation of law reflecting on the Congress as a whole could go unpunished if the virtually unlimited power of law enforcement officials to prosecute were not exercised. In such circumstances, the legislative branch would find it difficult to assert the right to be the judge of its own membership.

A contrary situation might well find an investigation by this committee establishing that there exists no "probable grounds" for a particular complaint. Under such conditions, this finding would have some appearance to enforcement officials of invocation of the "judge of its own membership" doctrine. While conceding that this standard probably would remain untested, the committee feels it should be a part of a code of standards in the interest of, and as a safeguard for, the House as a whole.

(2) A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of Rules of the House and to the rules of duly constituted committees thereof.

It is also unlikely that the above standard ever will have to meet the tests of enforcement. Its purpose in the code is to restate and reemphasize the importance of the precedents of decorum and consideration that have evolved in the House over the years. These precedents are more than mere politeness; they are the essence of the order of the House.

The committee heard recommendations that it draw standards to reduce the number of time-consuming quorum calls, govern attendance on the floor and in committee meetings, and deal with seemingly unfair and dilatory legislative tactics. Such proposals were considered, but proposed drafts illustrated the greater impracticality of this approach in comparison with a more general admonition to observe the spirit of existing and adequate rules and practices.

From the apportionment chart shown on page 4 of this report, it is clear that the business of the House has multiplied rapidly during our national life. But, as the chart shows, the projected growth for the future is even more startling. Many fields of legislation are present today that were unheard of even a short time ago, and forecasts for the future appear to offer no hope for reduction in the workload of the House. And although this report is not primarily directed toward legislative efficiency, it is clear that ethical observance of the spirit and the letter of the rules of the House and rules of its committees will work toward that objective.

(3) A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

The attention of the committee to the general topic of conflicts of interest was in direct proportion to the emphasis that virtually every witness put on the subject. There was this emphasis despite:

Of the practice of influencing a Congressman's action on legislation through outright bribery, there were no publicly proven instances from 1945 through 1964, although it is possible that some bribes were offered or received secretly. There were no publicly known cases of a Congressman selling his vote for an outright cash payment. There was no case in which there was any evidence that a speaker's fee paid to a Congressman ostensibly for making a speech before an organization (a widespread and perfectly legal practice) had as its real purpose to buy the Congressman's vote, which would have been a crime. There were no publicly known cases of a Congressman selling his vote on a bill for the secret promise of a future job or for some inside information on the stock market, land values, the commodity market, etc. There were no publicly known cases in which it was proven that a Congressman had been offered or accepted a campaign contribution made for the express purpose of buying his vote on a particular issue.<sup>1</sup>

Nevertheless the committee sought to define and approach the subject in such a way that a standard seeking to prevent conflicts of interest would be reasonably meaningful and to some degree enforceable.

The generally understood notion is that conflicts of interest occur when one's governmental responsibilities are to any degree affected, or appear to be affected, by his or her personal economic interests. This definition is adequate until an attempt is made to prove what fits the definition and where a legislator's community of interest with his constituents ceases and conflict of interest commences.

A substantial body of law already exists covering certain types of overt duality, but that law is weak in that it, too, is incapable of penetrating the indivisibility of the human and human motivations. In every lawmaker, there is also some living-maker, and the instincts which compel him to provide are essentially competitive. These instincts are fundamental. Yet they must be suppressed in the role of the lawmaker except when the action in question is simultaneously and, to no greater degree, beneficial to all the constituents for whom the representative is serving in a brokerage function. It could be argued that even this condition could be further tempered if a greater public benefit might stem from voting a position contrary to the constituent but in the interest of the Member.

Clearly all these possibilities are totally incapable of examination except in the subjective sense and, therefore, this standard is so stated. To imagine the test, one must first know all the facts and then apply an equally ideal unselfish judgment. To attempt to define beyond this

<sup>1</sup>"Legislators and the Lobbyists," (p. 3) a publication of Congressional Quarterly Service.

point toys with the essence of the representative function and is potentially dangerous. For if a Member makes use of the only remedy now available for prevention of conflicts of interest—disqualification of himself from acting in any situation in which he has a private or pecuniary interest—he risks disqualification also of the voice of his constituents. It should be noted, too, that use of the remedy is left largely to the option of the individual Member. The remedy, as it now exists, is prescribed in Jefferson's Manual and in rule VIII of the rules of the House.

Much has been written on the venality of conflicts of interest, real or seeming, but the dearth of substantive recommendations either to or from the committee for absolute means of preventing conflicts is in all likelihood due to the essential paradox that the concept evokes in self-government systems. Whether the motive behind a single act is ultimate avarice, genuine unselfishness or a point somewhere between these poles, what it truly is, is known only in the heart of one man, and in such cases he must be judged by others humbly.

(4) A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value, directly or indirectly, from any person, organization, or corporation having a direct interest in legislation before the Congress.

Under most circumstances the giving and receiving of gifts is an expression of genuine unselfishness, and is evidence of the civilization which man has achieved. The same act, however, can be a badge of the depths to which he sometimes sinks—meaning bribery.

The extreme cases present no problems in any attempt to define proper conduct. It is in the middle area that the problems arise. This is the area of the intended quid for the quo, the potlatch, and contains the even further complication of timing factors which might be described as casting bread upon the waters.

The ill-motivated giving or receiving of gifts certainly has no place in government, but to make a flat prohibition against this most human expression would be artificial and unenforceable.

The committee fully realizes the considerable subjectivity of this standard, but believes that, given the facts to test the standard, the subjectivity can be resolved, and that, otherwise, the potential problem of extraordinary gifts may be beyond definition.

(5) A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

The acceptance of an honorarium by any person, a Member of Congress or otherwise, for a speech or presence is a durable and honorable practice, provided, of course, that it is just that and no more. When the fee offered a Member of the Congress is in excess of what another person of equal public importance could command, the Member is presented a serious ethical problem. In such circumstance, the excess is either a gift or a campaign contribution, and properly should be treated separately and appropriately reported.

The committee recognizes that political practices in the 435 congressional districts vary widely, and that the honorarium has been

more usual in some than in others. The committee wants to emphasize its belief that receipt of a proper honorarium constitutes no abuse, but to warn that it is something else if a so-called honorarium is a subterfuge for the gift of money intended for other purposes. It is that kind of abuse to which the above code provision is directed.

(6) A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. He shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures. He shall expend no funds from his campaign account not attributable to bona fide campaign purposes.

The committee recognizes the political process as essentially an adversary one. Aspirants to seats in the House of Representatives are, to some degree, planning and campaigning to unseat the incumbent at all times. The incumbent counters these efforts if he is to remain the incumbent. The degree of subtlety, whether called tactics by the one or exposure by the other, lessens as an election approaches, but it must be understood that campaigning is a continuing process, not one that commences with the sound of a bell and ends with the wave of a flag.

The costs of this process are the subject of existing law and proposed legislation. The committee recognizes the importance of realistic corrupt practices legislation in the total context of standards of official conduct. But, within the scope of this code of official conduct, it is the meaningful separation and proper application of campaign funds versus personal funds that is important. Otherwise, there is grave danger of the presence of potential sources of conflicts of interest.

It should be noted that the reimbursement for prior expenditures provided for in the standard is not an exception to the general proposition. Its purpose is to take notice of the continuing and overlapping nature of campaign expenditures by providing a degree of flexibility in the financing of them without any sacrifice of the principal objective of the standard.

(7) A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

Political fundraising practices vary widely across the country, but one in fairly general use is the testimonial dinner. Like many other topics mentioned in this report, the practice is capable of a high purpose or of abuse. In this instance, the motive behind the act is not as important as the assurance that all participants in the event are fully aware of what their role is. If an event is for raising campaign funds, and that purpose is clearly stated (for example, in imprinting on the tickets), not only is the donor aware of the purposes to which his contribution will be put, but, equally important, the Member is in no doubt as to the uses to which he is permitted to put the funds and as to the reporting he is required to make under law. If, on the other hand, the testimonial is intended to provide a gift for the unlimited use of the Member, that fact should be equally clear and the political implications open for full observance.

When the purpose is not stated in adequate, advance notice, the contributions must be considered as meant for campaign purposes and treated just as if notice to that effect had been stated.

(8) A Member of the House of Representatives shall retain no one from his clerk hire allowance who does not perform duties commensurate with the compensation he receives.

A subject widely commented upon to the committee was the practice of hiring relatives from the clerk hire allowance. Recommendations for dealing with the subject ranged from complete prohibition to approval. The question was preempted with the passage of the Postal Revenue and Federal Salary Act of 1967, which, in effect, prohibits the hiring of any relatives by Government officials.

Within the same general area, however, the subject of reasonable performance of duties by employees, regardless of relationship, was raised. The need for conscientious performance was stated in the 1958 Code of Ethics. It commands all persons in Government service to "Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought." This principle must be kept in mind by the Member making an appointment and by the person appointed.

#### RECOMMENDATION NO. IV—FINANCIAL DISCLOSURE

Amendment of the rules of the House to require that Members, officers, principal assistants to Members and officers, and professional staff members of committees shall, not later than April 30, 1969, and by April 30 of each year thereafter, file with the Committee on Standards of Official Conduct a report disclosing certain financial interests, as described below. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts, hereinafter designated "part A" and "part B."

##### *Part A*

(1) List the name, instrument of ownership, and any position of management held in any business entity doing a substantial business with the Federal Government or subject to Federal regulatory agencies, in which the ownership is in excess of \$5,000 fair market value as of the date of filing or from which income of \$1,000 or more was derived during the preceding calendar year. Do not list any time or demand deposit in a financial institution, or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

(2) List the name, address, and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director, or partner, or serves in any advisory capacity, from which income of \$1,000 or more was derived during the preceding calendar year.

(3) List the source of each of the following items received during the preceding calendar year:

(a) Any income for services rendered (other than from the U.S. Government) exceeding \$5,000.

(b) Any capital gain from a single source exceeding \$5,000, other than from the sale of a residence occupied by the person reporting.

(c) Reimbursement for expenditures (other than from the U.S. Government) exceeding \$1,000 in each instance.

Campaign receipts shall not be included in this report.

Information filed under part A shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe including, but not limited to, regulations requiring identification by name, occupation, address, and telephone number of each person examining information filed under part A and regulations requiring the committee promptly to notify each Member of the House of Representatives of each instance of an examination of information filed under part A by such Member.

### Part B

(1) List the fair market value (as of the date of filing) of each item listed under paragraph 1 of part A and the income derived therefrom during the preceding calendar year.

(2) List the amount of income derived from each item listed under paragraphs 2 and 3 of part A.

The information filed under part B shall be sealed by the person filing and shall remain sealed unless the Committee on Standards of Official Conduct, pursuant to its investigative authority, determines by a vote of not less than seven members of the committee that the examination of such information is essential in an official investigation by the committee and promptly notifies the member concerned of such determination. The committee may, by a vote of not less than seven members of the committee, make public any portion of the information unsealed by the committee under the preceding sentence and which the committee deems to be in the public interest.

Any person required to file a report who has no interests covered by any of the above provisions shall file a report so stating.

In any case in which a person required to file a sealed report under this part B is no longer required to file such a report, the committee shall return to such person, or his legal representative, all sealed reports filed by such person under part B and remaining in the possession of the committee.

Financial disclosure brought the most positive opinions of any subject that came before the committee. The overwhelming majority of the testimony favored application of some form of disclosure to Members, officers and certain employees of the House. But while there were passionate demands for exposure of every minute detail of fiscal involvement, the committee also heard the completely opposite view that such disclosure would be an unwarranted invasion of privacy. The majority of the recommendations supporting disclosure stressed and defended the principle of disclosure but only a few placed emphasis on the objectives the technique was intended to serve.

A matter of such sensitivity, having generated such extremes of opinion, needs the most careful scrutiny. The one thing strikingly absent from the arguments was any evidence that the results claimed would in fact obtain, and that the conclusions were not largely speculative.

Proponents of the broadest disclosure seemed to take axiomatically that under this scrutiny, conflicts of interest would be eliminated. Opponents held with the same conviction that compelling disclosure of one's personal finances would deter and eventually eliminate qualified persons from public office.

The committee feels that a true position falls between these extremes and that there is a totally justifiable point at which some financial disclosure is necessary to equip the voters with enough information to make a proper judgment at the polls, but that disclosure beyond that point is unnecessary and, in truth, is an invasion of one's privacy.

The purposeful and premeditated conflict of interest is not, and cannot be, the target of a financial disclosure technique. As was noted earlier, these situations are rare, and common sense suggests that, if an outright bargaining of one's legislative influence could be contemplated, the same person would not hesitate to falsify any type of filing imposed upon him. To unearth and punish a violation of the code or applicable statutes in this area would present no greater problem than to treat a misfiling, so it must be concluded that the code and the statutes are adequate to deal with flagrant abuses of legislative authority.

The remaining area of what is commonly referred to as conflict of interest refuses to yield to such easy definition. In fact, if rule VIII<sup>2</sup> were literally applied, any legislation requiring appropriations could be construed to contain a "direct personal or pecuniary interest" since it theoretically affects taxes, the quality of investments and perhaps other extremely remote interests.

While precedent has provided the solution to this technicality, it illustrates that conflict of interest is a matter of proximity or degree of personal or pecuniary interest rather than an absolute state. Therefore, in the absence of any precise definition, it is the judgment and instincts of the member voting that provide the first test of whether the representative function is being compromised for personal gain. As a practical matter, it is the governing criterion.

In the totally ideal legislative circumstance, the judgment of the Member blends into that of his constituency and expresses itself unequivocally. To the extent then that any vote is less than ideal is the failure of this synthesis, and systems that will improve the communication and understanding toward this objective are justifiable.

It is toward this goal that financial disclosure is worthy. It works to keep the person reporting ever mindful of where the accumulation of his estate has occurred and keeps before him the fact that his first obligation—his legislative duty—may not be even subconsciously subverted to his own interests. It further works to keep before those he represents the areas where his personal financial interests lie so that they may judge whether his interests are contrary to their own, and, if so, whether to a sufficient degree that he fails to adequately represent them.

No apology need be made for the fact that the proper role of the legislator is to express the very direct interests of his constituency. If his own be the same or different interests and he votes either position, there is no proof that he acted from conflict of interest. Whether, in fact, it was or was not is known but to himself.

<sup>2</sup> Rule VIII. Every Member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question.

The legitimate objectives of financial disclosure, then, are to serve as a deterrent reminder to the person filing and to acquaint the voters with the areas in which it is possible for a conflict of interest to occur. It must follow that only such information as serves those objectives can be validly required.

The method of financial disclosure recommended in this report seeks to accomplish these objectives. The means would require a two-part type of disclosure. One part, aimed primarily at the deterrent objective, would be sealed and not made public except under unusual conditions. This portion would contain specific items of valuation and income—information which is not essential to the public judgment objective.

The other part, which would be made public, would identify certain assets, business, or professional affiliations and the sources of outside income, any of which might be persuasive of the judgment of the Member in his legislative role. The committee made a careful analysis of factors capable of doing this, and strongly feels that only this much information is essential to the objectives earlier stated.

For instance, ownership in business entities having no essential dealings with the Federal Government, or even minimal holdings of this type, do not present an opportunity for conflict of interest. The committee appreciates the difficulty that might arise in some instances of determining whether a holding meets the criteria stated in paragraph (1) of part A above; namely, that the entity in question does a substantial business with the Federal Government or is subject to Federal regulation. One such example would be a diversified mutual fund having changing components. In such uncertain cases, where honest differences of opinion can be expected, to err on either side is unlikely to do harm to the objectives of the reporting requirement. Assets such as financial deposits, Government bonds, or even corporate bonds lacking any provision for conversion to equity instruments similarly are incapable of enhancement by improper legislative influence. Thus, such interests do not serve the objectives of disclosure and therefore present no reason to be revealed. These exclusions also would prevent any person from calculating the net worth position of the reporting individual, information which the committee feels most strongly is unnecessary to any goals of financial disclosure.

The committee notes the limitations on this or any form of financial disclosure for the objectives mentioned. The principal limitation is that it never reveals the present situation but rather the past, which may bear no relevancy to the purposes of disclosure. The technique as a rule of the House is difficult, if not impossible, to impose on a nonincumbent candidate. Also, it is not meaningful with respect to a first-year report since it would cover a period prior to the service of the person reporting and conversely the final year of service of any person covered would not be reported. Likewise, transactions wholly contained in a calendar year and not existing at the time of filing would escape report unless they led to gains or income which would be reported. While these defects limit the effectiveness of the effort, the committee feels that on balance they do not outweigh the possible benefit.

Again it is emphasized that nothing in this section pertains to the disclosure of moneys received for campaign purposes. That subject is treated elsewhere in this report.

It can be argued with considerable merit that point 3 of the "Code of Official Conduct," along with the means for enforcement recommended in this report, is sufficient to monitor conflicts of interest, thus obviating any need for financial disclosure. The committee did not overlook this alternative. It concluded that even if both approaches became duplicative in effect rather than complementary, the better judgment was to err on the side of duplication.

The committee was told that "not only Congress, but the churches, the professional societies, the universities, the research organizations, the corporations, in fact all organizations and all of us are being propelled, willy-nilly, into an era in which ethics must become a dominant concern if we are to survive" (Dr. Franklin Kilpatrick; hearings, August-September 1967, p. 23). The committee is mindful of the fact that Members of the House of Representatives are as entitled to privacy as any other citizen. But because they are the closest link between other citizens and their Government, it is appropriate that they take this extra measure of ethical concern.

#### RECOMMENDATION NO. V.—APPLICATION TO CANDIDATES

That the Chairman of National Political Committees, in turn, recommend to candidates seeking nomination or election to the House of Representatives, under the sponsorship of the respective parties, that such candidates comply with all provisions of the Code of Official Conduct insofar as they are applicable.

The committee saw the equity of requiring aspirants to seats in the House of Representatives to abide by the same rules, especially with respect to financial disclosure, as apply to incumbents. Technically it was stopped from doing so if the Code of Official Conduct was placed in the rules of the House rather than being made statutory, a step which would require Senate approval. It seems reasonable that candidates would be willing to meet any requirements which might later apply to them as Members.

The committee feels that the most reasonable means of communicating this suggestion is through the machinery of the national political parties.

If experience shows abuse of this recommendation by candidates to the detriment of incumbents, legislation to correct the abuses can be considered later.

#### RECOMMENDATION NO. VI.—COUNTERPART FUNDS

That the Committee on House Administration recommend revisions in law and regulations to provide for standardizing the controls over the use by committees of counterpart funds for travel outside the United States and full reporting and adequate review of such reports in the House of Representatives.

Any Members or employees of committees of Congress traveling in a foreign country on official business of the U.S. Government are required by law to use U.S. funds on deposit in that country's currency if such funds exist. These balances for the most part arose from lend-lease, foreign aid, or some similar arrangement. Recovery of them by

the U.S. Treasury is for all practical purposes limited to their use in the country of origin.

The law further spells out per diem limits of these funds available to official travelers but that law has been revised a number of times with the result that it now is often confusing as to authorized uses and accountability.

Without question this confusion has led to some actual abuse and certainly to some appearance of abuse in the utilization and reporting of these disbursements. That the amounts involved in actual abuses have been relatively miniscule is no justification for less than meticulous stewardship over these like any other public moneys.

The committee feels that recommendations from the appropriate legislative source to clarify all aspects of this law will be a step toward eliminating any uncertainty from this area and removing both error and suspicion.

#### RECOMMENDATION NO. VII.—CORRUPT PRACTICES ACT

That the House take prompt action to review the entire body of law in areas covered by the Federal Corrupt Practices Act and enact measures realistically applicable to present day situations.

No report, responsive to the committee's assignment, could omit consideration of the entire scope of campaign fund practices. Any consideration of standards of conduct for legislators must include the question of whether the sources of campaign money requirements are capable of either overtly or subconsciously compromising the legislative independence of the recipient. No system can be foreseen which will obviate the raising of such funds, so the only remedy appears to be strict management of them. This must be done if the public's concern over conflicts of interest is to be lessened.

Testimony received by the committee in this area was largely general in scope. However, two specific areas were singled out: (1) elimination of unrealistic limits on campaign spending, and (2) more extensive and realistic disclosure of campaign contributions and expenditures than is required under present law.

It should be made clear that disclosure of political campaign finances is entirely separate and apart from the committee's recommendation, elsewhere in this report, for a method of financial disclosure as a means of enabling the public to monitor possible conflicts of interest.

Campaign funds in the hands of a candidate for Congress are in a unique category. Although he has possession of them and may elect how they shall be spent, their status is transitional until they have in fact been spent. If they are expended for legitimate purposes either in a current or any future campaign for public office, they effectively pass through his hands without any trace of ownership or title remaining, and the accountability for them, in and out, is covered by the Federal corrupt practices law. If on the other hand some of these funds are expended for personal use, not related to his campaign, that portion becomes personal income, reportable for Internal Revenue purposes and possibly subject to disclosure under recommendations contained elsewhere in this report. Together, these two disclosure requirements would provide the fullest exposure of financial details

about a Member that is needed to reach a judgment as to whether proximity to any of the sources disclosed is sufficient to create a potential conflict of interest.

The absence of greater detail in this recommendation is due to the committee's decision that the specific steps to accomplish its general aims should be recommended by the appropriate legislative committee. This committee notes that considerable legislation aimed at the general objectives has been introduced in recent years. It reiterates that it feels no preference for any specific bill. But it feels strongly that stricter management and reporting of campaign finances are needed to complement the recommendations it is making in the areas assigned to it by the House.

## PART IV

### CONCLUSION

The observations and recommendations contained in this report by no means cover all the subjects debated in the committee. Many additional areas were discussed, but failed of a position in the report because, in the judgment of the committee, they either were of minimal importance or were in a category for which no appropriate recommendations were immediately apparent. This is not to say that the committee feels there are great remaining areas demanding of attention. Rather, it is to say that, in the judgment of the committee, a continuing committee can deal with remaining areas more deliberately and effectively, and with minimal risk that the cure may be worse than the disease. In the interim, none of these areas impresses the committee as of sufficient weight to do conceivable harm if action on them is deferred.

It is regrettable that this report does not lend itself to the same precision as reports on some other subjects. Concepts and ideas simply will not permit themselves to be as neatly arranged as measurable facts.

This committee boasts of no superior wisdom or special insight, but it does assure the House of Representatives that it has, with some experience, sincere humility, genuine reverence for the institution itself, and, above all, true respect for each individual Member, considered the contents of this report and deems adoption of its recommendations in the best interest of all.

## APPENDIX

90TH CONGRESS  
1ST SESSION

### H. RES. 418

#### IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1967

Mr. COLMER, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

APRIL 13, 1967

Considered and agreed to

### RESOLUTION

*Resolved*, That there is hereby established a standing committee of the House of Representatives to be known as the Committee on Standards of Official Conduct (hereafter referred to as the "committee"). The committee shall be composed of twelve Members of the House of Representatives. Six members of the committee shall be members of the majority party and six shall be members of the minority party.

SEC. 2. The jurisdiction of the committee shall be to recommend as soon as practicable to the House of Representatives such changes in laws, rules and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House.

SEC. 3. The committee may hold such hearings and take such testimony as may be necessary to carry out the purposes of this resolution.

RESOLUTION

Amending House Resolution 418, Ninetieth Congress, to continue the Committee on Standards of Official Conduct as a permanent standing committee of the House of Representatives, and for other purposes.

*Resolved*, That House Resolution 418, Ninetieth Congress, is amended to read as follows:

“That clause 1 of Rule X of the Rules of the House of Representatives is amended—

“(1) by redesignating paragraphs (r), (s), and (t) as paragraphs (s), (t), and (u), respectively; and

“(2) by inserting immediately after paragraph (q) the following new paragraph:

“(r) Committee on Standards of Official Conduct, to consist of twelve Members as follows: six members of the majority party and six members of the minority party.”

“SEC. 2. Rule XI of the Rules of the House of Representatives is amended—

“(1) by redesignating clauses 18 through 30 as clauses 19 through 31, respectively;

“(2) by inserting immediately after clause 17 the following new clause:

“18. Committee on Standards of Official Conduct.

“(a) Measures relating to the Code of Official Conduct.

“(b) Measures relating to financial disclosure by Members, officers, and employees of the House of Representatives.

“(c) The committee is authorized—

“(1) to recommend to the House of Representatives, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House of Representatives;

“(2) to investigate, subject to paragraph (d) of this clause, any alleged violation, by a Member, officer, or employee of the House of Representatives, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities and, after notice and a hearing, shall recommend to the House of Representatives, by resolution or otherwise, such action as the committee may deem appropriate in the circumstances;

“(3) to report to the appropriate Federal or State authorities, with approval of the House of Representatives, any substantial evidence of a violation, by a Member, officer, or employee of the House of Representatives, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a Committee investigation; and

“(4) to give consideration to the request of a Member, officer, or employee of the House of Representatives, for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees of the House of Representatives.

“(d)(1) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House of Representatives shall be made, and no investigation of such conduct shall be undertaken, unless approved by the affirmative vote of not less than seven members of the committee.

“(2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only (A) upon receipt of a complaint, in writing and under oath, made by or submitted to a Member of the House of Representatives and transmitted to the committee by such Member, or (B) upon receipt of a complaint, in writing and under oath, directly from an individual not a Member of the House of Representatives if the committee finds that such complaint has been submitted by such individual to not less than three Members of the House of Representatives who have refused, in writing, to transmit such complaint to the committee.

“(3) No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

“(4) A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House of Representatives shall designate a Member of the House of Representatives from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

“(e) For the purpose of carrying out the foregoing provisions of this clause, the committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.”;

“(3) by inserting immediately before ‘the Committee on Veterans’ Affairs’ where it appears in clause 22, as so redesignated by paragraph (1) of this section, the following: ‘the Committee on Standards of Official Conduct—on resolutions recommending action by the House of Representatives with respect to an indi-

vidual Member, officer, or employee of the House of Representatives as a result of any investigation by the committee relating to the official conduct of such Member, officer, or employee of the House of Representatives;'

"(4) by striking out 'paragraph 26' in clause 27 (j), as so redesignated by paragraph (1) of this section, and inserting in lieu thereof 'clause 27'; and

"(5) by inserting immediately after 'Rules,' where it appears in clause 31, as so redesignated by paragraph (1) of this section, the following: 'on Standards of Official Conduct,'.

"SEC. 3. Clause 2 of Rule XIII of the Rules of the House of Representatives is amended by striking out 'clause 21' and inserting in lieu thereof 'clause 22'.

"SEC. 4. (a) The Rules of the House of Representatives are amended by adding at the end thereof the following new rules:

"RULE XLIII

"Code of Official Conduct

"There is hereby established by and for the House of Representatives the following code of conduct, to be known as the "Code of Official Conduct":

"1. A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

"2. A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House of Representatives and to the Rules of duly constituted committees thereof.

"3. A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

"4. A Member, officer, or employee of the House of Representatives shall accept no gift of substantial value, directly or indirectly, from any person, organization, or corporation having a direct interest in legislation before the Congress.

"5. A Member, officer, or employee of the House of Representatives shall accept no honorarium for a speech, writing for publication, or other similar activity, from any person, organization, or corporation in excess of the usual and customary value for such services.

"6. A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. He shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures. He shall expend no funds from his campaign account not attributable to bona fide campaign purposes.

"7. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events if the sponsors of such affairs do not give clear notice in advance to the donors or participants that the proceeds are intended for other purposes.

"8. A Member of the House of Representatives shall retain no one from his clerk hire allowance who does not perform duties commensurate with the compensation he receives.

"As used in this Code of Official Conduct of the House of Representatives—

"(a) the terms "Member" and "Member of the House of Representatives" include the Resident Commissioner from Puerto Rico; and

"(b) the term "officer or employee of the House of Representatives" means any individual whose compensation is disbursed by the Clerk of the House of Representatives.

"RULE XLIV

"Financial Disclosure

"Members, officers, principal assistants to Members and officers, and professional staff members of committees shall, not later than April 30, 1969, and by April 30 of each year thereafter, file with the Committee on Standards of Official Conduct a report disclosing certain financial interests as provided in this Rule. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts as follows:

"PART A

"1. List the name, instrument of ownership, and any position of management held in any business entity doing a substantial business with the Federal Government or subject to Federal regulatory agencies, in which the ownership is in excess of \$5,000 fair market value as of the date of filing or from which income of \$1,000 or more was derived during the preceding calendar year. Do not list any time or demand deposit in a financial institution, or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

"2. List the name, address, and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director, or partner, or serves in any advisory capacity, from which income of \$1,000 or more was derived during the preceding calendar year.

"3. List the source of each of the following items received during the preceding calendar year:

"(a) Any income for services rendered (other than from the United States Government) exceeding \$5,000.

"(b) Any capital gain from a single source exceeding \$5,000, other than from the sale of a residence occupied by the person reporting.

"(c) Reimbursement for expenditures (other than from the United States Government) exceeding \$1,000 in each instance. Campaign receipts shall not be included in this report.

"Information filed under Part A shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the Committee may prescribe including, but not limited to, regulations requiring identification by name, occupation, address, and telephone

number of each person examining information filed under Part A and regulations requiring the committee promptly to notify each Member of the House of Representatives of each instance of an examination of information filed under Part A by such Member.

“PART B

“1. List the fair market value (as of the date of filing) of each item listed under paragraph 1 of Part A and the income derived therefrom during the preceding calendar year.

“2. List the amount of income derived from each item listed under paragraphs 2 and 3 of Part A.

“The information filed under this Part B shall be sealed by the person filing and shall remain sealed unless the Committee on Standards of Official Conduct, pursuant to its investigative authority, determines by a vote of not less than seven members of the Committee that the examination of such information is essential in an official investigation by the Committee and promptly notifies the Member concerned of any such determination. The Committee may, by a vote of not less than seven members of the Committee, make public any portion of the information unsealed by the Committee under the preceding sentence and which the Committee deems to be in the public interest.

“Any person required to file a report under this Rule who has no interests covered by any of the provisions of this Rule shall file a report so stating.

“In any case in which a person required to file a sealed report under Part B of this Rule is no longer required to file such a report, the Committee shall return to such person, or his legal representative, all sealed reports filed by such person under Part B and remaining in the possession of the Committee.

“As used in this Rule—

“(1) the term “Members” includes the Resident Commissioner from Puerto Rico; and

“(2) the term “committees” includes any committee or subcommittee of the House of Representatives and any joint committee of Congress, the expenses of which are paid from the contingent fund of the House of Representatives.”

“(b) Paragraph (a) of clause 16 of Rule XI of the Rules of the House of Representatives is amended by striking out ‘rules, joint rules’ and inserting in lieu thereof ‘rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct or relating to financial disclosure by a Member, officer, or employee of the House of Representatives)’.”

SHORT HISTORY OF RULES OF CONDUCT ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES

(From Legislative Reference Service, Library of Congress)

Prior to July 24, 1965, when, for the first time in the history of the Congress, the Senate adopted a substitute proposal for Senate Resolution 388 creating its Select Committee on Standards and Conduct (110 Congressional Record 16939), no institutionalized means of enforcing standards of conduct had existed in either body of the

Congress. Today, that condition still obtains in the House of Representatives.

Cases of breaches of ethics by Members of the House thus far, if they appeared to warrant official attention, have been considered pursuant to resolutions of censure or expulsion in accordance with the constitutional power of each House to prescribe rules for the conduct of its Members (art. I, sec. 5). These have been handled through resolutions offered on the floor or through the creation of select investigating committees.

There have been only three instances of expulsion from the House. All three occurred during the 37th Congress in the Civil War year of 1861. Resolutions to expel have been submitted on various occasions, but, except for the three instances, they either failed to receive the necessary two-thirds vote or else a resolution of censure was substituted.

There have been 16 instances of censure by the House, the last one occurring in 1921. The House has imposed censure against a Member for (1) unparliamentary language during House proceedings against a fellow Member or against the Speaker, or other disorderly conduct; (2) physical assault against another Member for words spoken in debate; (3) treasonable words uttered in the course of proceedings; (4) presentation of a resolution construed as insulting to the House; (5) corrupt acts, that is, sale of appointments to service academies; distribution of credit mobilier stock to Members below value in order to influence their actions; (6) abuse of the privilege of inserting material in the Congressional Record, in this case obscene material, and (7) presentation of resolutions of an incendiary nature purportedly approving “mutiny and murder” in a section of the country then a subject of negotiation between the United States and Great Britain.

There has not been a consistent procedure for the examination of allegations and charges leading to expulsion or censure.

Other situations have involved resolutions declaring a Member's seat forfeited because of his acceptance of another Federal office in contravention of article I, section 6, clause 2, of the Constitution.

The House has refused, also, to readmit a Member whom it would have expelled for commission of an infamous crime but for his resignation (Hinds' “Precedents of the House of Representatives,” vol. I, sec. 464). It is the custom of the House, however, to defer such final action as expulsion of Members under criminal charges pending disposition of the cases in the court of last resort (Cannon's “Precedents of the House of Representatives,” vol. VI, sec. 238). Neither will the House consider expulsion proceedings for offenses committed by Members in preceding Congresses (Hinds', supra, vol. II, secs. 1284-1285).

Officers of the House have been removed or suspended by vote of the House in acting on reports by standing or select committees, or on resolutions offered from the floor (Hinds', supra, vol. I, sec. 287). On one occasion, the House requested Executive authority to prosecute its clerk for embezzlement of public funds (Hinds', supra, vol. I, sec. 287).

On another occasion, the House, by resolution, instructed one of its standing committees to make an investigation of the conduct of certain officers of the House while they were officers of the preceding House (Hinds', supra, vol. III, sec. 2617).

As respects employees of the House, of its committees, and of Members, certain statutory provisions relate to aspects of their dismissal. Employees of Members are subject to removal at any time by the Member, with or without cause (2 U.S.C. 92). The services of professional members of committee staffs may be terminated by majority vote of the committee (2 U.S.C. 72a(a)). (Note: Clerks are usually appointed and dismissed by the chairman with the approval of the committee.) (Hinds', supra, vol. IV, sec. 4533; Cannon's, supra, vol. VIII, secs. 2206, 2207). Employees of the Clerk, Sergeant at Arms, Doorkeeper, and Postmaster are subject to removal for violation of any of the provisions of 2 U.S.C. 85-89 (2 U.S.C. 90). The Committee on House Administration is charged with the duty of inquiring into the enforcement or violation of sections 85-89 (2 U.S.C. 91).

Aside from acting under such statutory provisions, the House has declined to interfere, for instance, with the Clerk's power of removing his subordinates (Hinds', supra, vol. I; sec. 249).

In addition, Members of Congress, officers, and employees of the House are subject to various statutes, provisions, and rules relating to ethical conduct listed below, and to the Code of Ethics for Government Service (72 Stat., pt. 2, 812, July 11, 1958).

In summary, on the whole, there has been no consistent procedure for examining alleged infractions, for recommending changes in or additions to the House rules or regulations respecting ethics, or for initiating enforcement thereof. In some instances, as in regard to the enforcement of the Code of Ethics adopted in 1958, no formal procedure for enforcement has been created.

#### CONSTITUTIONAL AND STATUTORY PROVISIONS AND RULES OF THE HOUSE GOVERNING THE CONDUCT AND ACTIVITIES OF MEMBERS OF CONGRESS

(Compiled by the Library of Congress, Legislative Reference Service, Robert L. Tienken, Legislative Attorney, American Law Division)

##### A. CONSTITUTION

###### (1) Article I, section 5, clause 2—

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two-thirds, expel a member.

###### (2) Article I, section 6, clause 1—

They shall in all cases, except Treason, Felony and Breach of the Peace, be privileged from arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

###### (3) Article I, section 6, clause 2—

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil office under the Authority of the United States, which shall have been

created, or the emoluments whereof shall have been increased during such time; \* \* \*

###### (4) Article I, section 9, clause 8—

No title of nobility shall be granted by the United States; and no Person holding any Office of Profit or Trust under them, shall, without the consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

###### (5) Article VI, clause 3—

The Senators and Representatives before mentioned, and the Members of the several State Legislatures; and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; \* \* \*

##### B. STATUTES

###### (1) CODE OF ETHICS (72 Stat., pt. 2, B 12, July 11, 1958)

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following Code of Ethics should be adhered to by all Government employees, including officeholders:

##### CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.
2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.
3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration, or not; and never accept, for himself, or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
6. Make no private promises of any kind binding on the duties of office, since a Government employee has no private word which can be binding on public duty.
7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
8. Never use any information coming to him confidentially in the performance of governmental duties as a means of making private profit.

9. Expose corruption wherever discovered.

10. Uphold these principles, ever conscious that a public office is a public trust.

(2) *Bribery* [18 U.S.C. 201(c)].—Soliciting or receiving a bribe for being influenced: (1) in the performance of any official act, or (2) for the violation of an official duty, or (3) respecting fraud, on the United States; penalty, \$20,000 fine or three times the monetary equivalent of the thing of value, whichever is greater, or imprisonment for not more than 15 years, or both, plus possible disqualification from holding office.

(3) 18 U.S.C. 201(g).—Soliciting or receiving anything of value for himself or because of any official act performed or to be performed by him; penalty, \$10,000 fine, or imprisonment for not more than 2 years, or both.

(4) *Outside compensation for particular services* (18 U.S.C. 203 (a)).—Soliciting or receiving any compensation for services in relation to any proceeding, contract, claim, controversy, etc., in which the United States is a party or has a direct or substantial interest, before any department, agency, court martial, officer or civil or military commission; penalty, \$10,000 fine and imprisonment for not more than 2 years, or both, plus disqualification from holding office.

(5) *Practice in Court of Claims* (18 U.S.C. 204).—Such practice forbidden; penalty, \$10,000 fine or imprisonment for not more than 2 years, or both, plus disqualification from holding office.

(6) *Acceptance or solicitation to obtain appointive public office* (18 U.S.C. 211).—Receiving as a political contribution or otherwise, anything of value for promising use of or using influence to obtain for any person an appointive office or place under the United States; penalty, \$1,000 fine, or imprisonment for not more than 1 year, or both.

(7) *Contracts* (18 U.S.C. 431).—Prohibits contracts with Government by Members of Congress; penalty, \$3,000 fine, and voidance of such contracts. 18 U.S.C. 433 exempts from the provisions of section 431 contracts by the United States with corporations for the general benefit of the corporation, and contracts entered into under the RFC Act, the Agricultural Adjustment Act, the Federal Farm Loan Act, the Emergency Farm Mortgage Act of 1933, the Farm Credit Act of 1933, the Home Owners Loan Act of 1933, the Farmers' Home Administration Act of 1946, the Bankhead-Jones Farm Tenant Act.

(8) *Interest of Members of Congress in contracts* (41 U.S.C. 22).—Provides that in every contract entered into with the United States, there shall be inserted a provision that no Member shall be admitted to any share or part of such contract or any benefit to arise thereupon. Exempted are contracts entered into under the statutes listed in 18 U.S.C. 433.

(9) *Commodity Credit Corporation: Insurance of Cotton* [7 U.S.C. 1383(a), 1386].—Section 1383(a) authorizes the Commodity Credit Corporation to place insurance of every nature taken out by it on cotton, with insurance agents who are bona fide residents of and doing business in the State where the cotton is warehoused. Section 1386 provides that section 22 of title 41, and sections 431 and 433 of title 18 shall be applicable to loans or payments made under section 1383(a).

(10) *Federal Crop Insurance Act* [7 U.S.C. 1514(f)].—Provides that section 22 of title 41 shall not apply to any crop insurance agreements made under chapter 36 of title 7, United States Code (insurance by Federal Crop Insurance Corporation against loss of crops planted for harvest in 1948 and thereafter).

(11) *Commodity Credit Corporation: Interest of Members of Congress* (15 U.S.C. 714 d).—Provides that section 22 of title 41 shall apply to all contracts or agreements by the Commodity Credit Corporation except contracts or agreements of a kind which the corporation may enter into with farmers participating in a program of the corporation.

(12) *U.S. information and educational exchange programs* [22 U.S.C. 1472 (b)].—Exempts from the provisions of section 22 of title 41, contracts (including contracts with governmental agencies and inter-governmental organizations of which the United States is a member) for the carrying out of its functions.

(13) *Contracts for flood control* (33 U.S.C. 702m).—Provides that contracts with the United States for the acquisition of land by private sale or condemnation for flood control purposes as set forth in the statute shall contain a clause as required by 41 U.S.C. 22.

(14) *Indian Claims Commission* (25 U.S.C. 70c).—Prohibits a Senator, Member, or Delegate to Congress from practicing before the Commission during his term in office.

(15) *Specific representation for claims* [46 U.S.C. 1223(e)].—Makes it unlawful for any contractor or charterer who holds any contract made under the authority of the Merchant Marine Act to employ any Member of Congress as an attorney either with or without compensation.

(16) *Use of name by persons practicing before Government departments or agencies* (5 U.S.C. 101).—Prohibits any person or firm practicing before a Government department or agency from using the name of any Member.

(17) *Accounting of foreign local currencies* [22 U.S.C. 1754(b)].—Requires committee members and employees to make to the chairman of such committee an itemized report showing the amounts and dollar equivalents of each foreign currency expended and the amounts of dollar expenditures made from appropriated funds in connection with travel outside the United States, together with the purposes of the expenditures including lodging, meals, transportation, and other purposes. Committee chairmen prepare consolidated reports of such total expenditures within 60 days of the beginning of each session for forwarding to the Committee on Appropriations in the Senate, or, respectively, the House Committee on Administration.

(18) *Reports of expenditures as members of American delegations to certain international conferences* (22 U.S.C. 276c-1).—Requires reports of expenditures by Members who are delegates to: the Interparliamentary Union, the NATO Parliamentarian's Conference, the Canada-United States Interparliamentary Group, the Mexico-United States Interparliamentary Group, or any similar interparliamentary group of which the United States is a member. Such reports to be filed with the chairman of the Senate Foreign Relations and House Foreign Affairs Committee, respectively. Such chairmen report respective consolidated statements within 60 days of the beginning of each session.

The Senate report is filed with the Senate Appropriations Committee, the House report with the House Administration Committee.

(19) *Deductions of pay for absence from Congress* (2 U.S.C. 39).—Provides for deductions from the monthly salaries of Members for each day of absence from the Senate or House unless the reason assigned is illness of the Member or his family.

(20) *Deductions for delinquent indebtedness* (2 U.S.C. 40a).—Provides for deductions from any salary, mileage, or expense money due any Member for any delinquent indebtedness owed by a Member to the Senate or House.

(21) *Employment by Members of clerks in Washington, D.C., or in home district, Only* (H. Res. 294, 88th Cong., 110 Cong. Rec. 19710-19711; H. Res. 7, 89th Cong., 111 Cong. Rec. 21; *vide permanent law, 79 Stat. 281, P.L. 89-90, July 27, 1965*).—Provides that no person employed by a Member shall be paid from any clerk hire allowance if such person does not perform the services for which he receives such compensation in the offices of such Member in Washington, D.C., or in the State or the district which such Member represents.

(22) *Franking privilege*.—Each Member may send under frank, official business mail (39 U.S.C. 4161), public documents (39 U.S.C. 4162), the Congressional Record (39 U.S.C. 4163), and seeds and reports from the Department of Agriculture (39 U.S.C. 4164), only.

(23) *Academy appointments*.—Each Member of the House is limited to Academy appointments from his own congressional district (10 U.S.C. 4342, Military Academy) (10 U.S.C. 6958, Naval Academy) (10 U.S.C. 9342, Air Force Academy).

(24) *Filing of accounts under Corrupt Practices Act* (2 U.S.C. 246).—Requires filing by each candidate for Senate and House, a list of contributions received by him, a list of campaign expenditures, with designated exceptions, a statement of every promise made by him or any person for him relative to appointment of persons to any public or private employment, for the purpose of securing support in his candidacy.

(25) *Limitations on campaign expenditures* (2 U.S.C. 248).—Limits campaign expenditures to amounts prescribed by State laws and by Corrupt Practices Act. Sets forth exceptions regarding items of expenditure.

(26) *Promises or pledges by candidate* (2 U.S.C. 249).—Prohibits candidates for election to Congress from promising or pledging directly or indirectly, the appointment or use of his influence or support for the appointment of any person to any public or private employment, for the purpose of procuring support in his candidacy; penalties, 2 U.S.C. 252—provides fine of not more than \$1,000 or imprisonment for not more than 1 year, or both, for violations of the above provisions, and a fine of not more than \$10,000 and imprisonment for not more than 2 years for willful violations. See also 18 U.S.C. 599 as to penalty for promises of appointment by a candidate.

(27) *Solicitation or receipt of political contributions by a Member or a candidate from Federal employees* (18 U.S.C. 602).—Such solicitation or receipt is punishable by a fine of not more than \$5,000, or by imprisonment for not more than 3 years, or both.

(28) *Soliciting or receiving political contributions in a Federal building* (18 U.S.C. 603).—Prohibited by persons mentioned in 18 U.S.C. 602; penalty, fine of not more than \$5,000 or imprisonment for not more than 3 years, or both.

(29) *Solicitation of political contributions from persons on relief* (18 U.S.C. 604).—Solicitation or receipt of assessments, contributions, etc., for political purposes from persons known by solicitor to be receiving benefits or compensation provided by a Federal act appropriating funds for work relief, or relief purposes, is punishable by fine of not more than \$1,000, or imprisonment of not more than 1 year, or both.

(30) *Solicitation of political contributions from corporations or labor unions* (18 U.S.C. 610).—Prohibits solicitation or receipt from national banks, corporations, and labor unions, of political contributions for use in any primary, convention, caucus, or general election involving Federal office. Penalty for such conduct—fine of not more than \$1,000, or imprisonment of not more than 1 year, or both; and if violation is willful, fine of not more than \$10,000 or imprisonment of not more than 2 years, or both.

(31) *Soliciting political contributions from persons or firms having contracts with the United States* (18 U.S.C. 611).—Penalty for such conduct, fine of not more than \$5,000, or imprisonment for not more than 5 years, or both.

(32) *Paying either for registration or voting in Federal primaries and elections* [Voting Rights Act, 1965, 79 Stat. 443, sec. 11(c)].—Prohibits paying or offering to pay either for registration or voting in Federal primaries and elections. Penalty is fine of not more than \$10,000, or imprisonment of not more than 5 years, or both.

#### C. RULES

##### (a) House of Representatives

(1) *Applicability of "Jefferson's Manual"*—House Rule XIII.—Provides that rules of parliamentary practice comprised in "Jefferson's Manual" shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House.

(2) *Disqualification in voting*—Rule VI I, section 1.—Provides that a Member shall not vote on a question where he has a direct personal or pecuniary interest. See also "Jefferson's Manual" ("House Rules Manual", par. 376).

(3) *Speaker shall preserve order and decorum*—Rule I, section 2.

(4) *Decorum and debate*—Rule XIV.—

*Section 1*: Obtaining the floor and method of address ("confine himself to the question under debate, avoiding personality").

*Section 4*: Call to order of a Member on his transgressing the rules during sessions.

*Section 5*: Words taken down if a Member is called to order.

*Section 7*: Prohibition on exiting while Speaker is putting the question; prohibition on passing between a Member who has the floor and the Chair while the Member is speaking; prohibition against wearing a hat or smoking while on the floor (as respects

movement while the House is telling, see "Jefferson's Manual" ["House Manual", par. 506]).

Section 8: Prohibition against introducing to the House or calling attention of the House, during a session, to people in the galleries.

(5) Prohibition against *speaking impertinently*, or beside the question, superfluously or tediously—"Jefferson's Manual," see "House Manual," par. 359).

(6) Prohibition against *use of indecent language* against the proceedings of the House; no reflections on prior determinations, unless a motion to rescind is intended ("Jefferson's Manual," see "House Manual," par. 360).

(7) Prohibition against mentioning Member by name, or reviling, nipping or using unmannerly words against him ("Jefferson's Manual," see "House Manual," par. 361).

(8) No *arraigning the motives of those proposing a measure* ("Jefferson's Manual," par. 361).

(9) No disturbing another Member in his speech by *hissing, coughing, spitting, speaking or whispering* to another, etc. ("Jefferson's Manual," see "House Manual," par. 364).

(10) Requiring a Member to *withdraw* where he has persisted despite repeated calls to order ("Jefferson's Manual," see "House Manual," par. 366).

(11) *No criticism of the Senate* ("Jefferson's Manual," see "House Manual," par. 371), nor *personal abuse, innuendo or ridicule of the President* ("Jefferson's Manual," see "House Manual," par. 370).

(12) *No Member to be present when a bill or any business concerning himself is debating*, although he may be heard in certain instances ("Jefferson's Manual," see "House Manual," par. 375).

(13) *Proceedings against a Member* by the House, not by a committee ("Jefferson's Manual," see "House Manual," par. 321).

(14) Rule on *questions of privilege*—House Rule IX.

(15) Absence of privilege for *speeches made outside the House* ("Jefferson's Manual," see "House Manual," par. 302).

(16) *Punishment by House* of a Member for things of which the House has cognizance ("Jefferson's Manual," see "House Manual," par. 303-307).

(NOTE.—On January 31, 1963, the House restricted travel by members of the House Committee on Agriculture, Banking and Currency, Education and Labor, and Judiciary, to the United States, but the Rules Committee has permitted specific requests for members of such committees to attend specific functions abroad; see Congressional Quarterly, week of April 19, 1963, No. 16, p. 631.)

(b) *Senate*

(1) *Self-disqualification in Voting*—Rule XII, section 2.—Requires statement of reasons for declining to vote. Provides for Senate permission to excuse a Senator from voting.

(2) *Debates and decorum*.—Rule XIX.—

Section 1: Form of address and rule on interruption.

Section 2: No imputation of unworthy motive or conduct to another Senator.

Section 3: No offensive reference to any State.

Sections 4 and 5: Procedure for calling a Senator to order if he transgresses the rules of the Senate.

Section 7: Prohibition against *introducing people in the galleries* or calling attention to them.

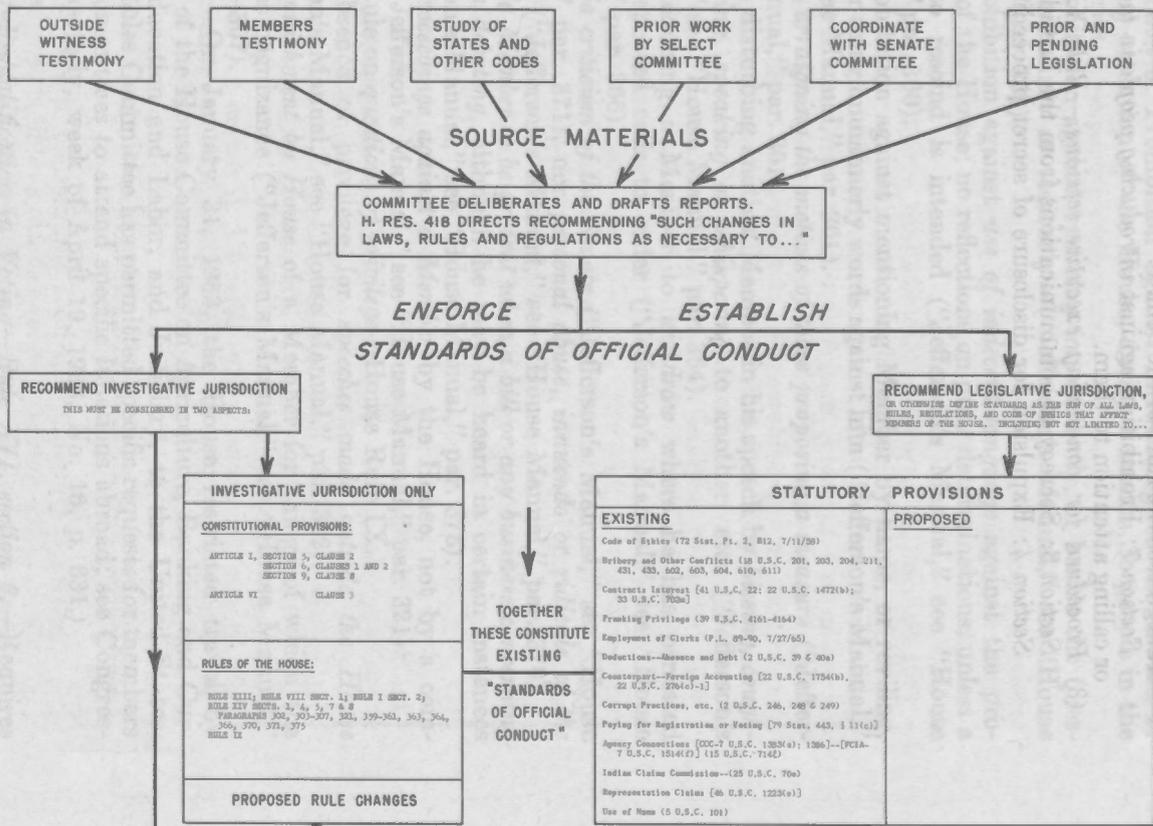
(3) *Procedure for conducting executive sessions*.—Rule XXXVI.—

Section 3: Secrecy of communications from the President.

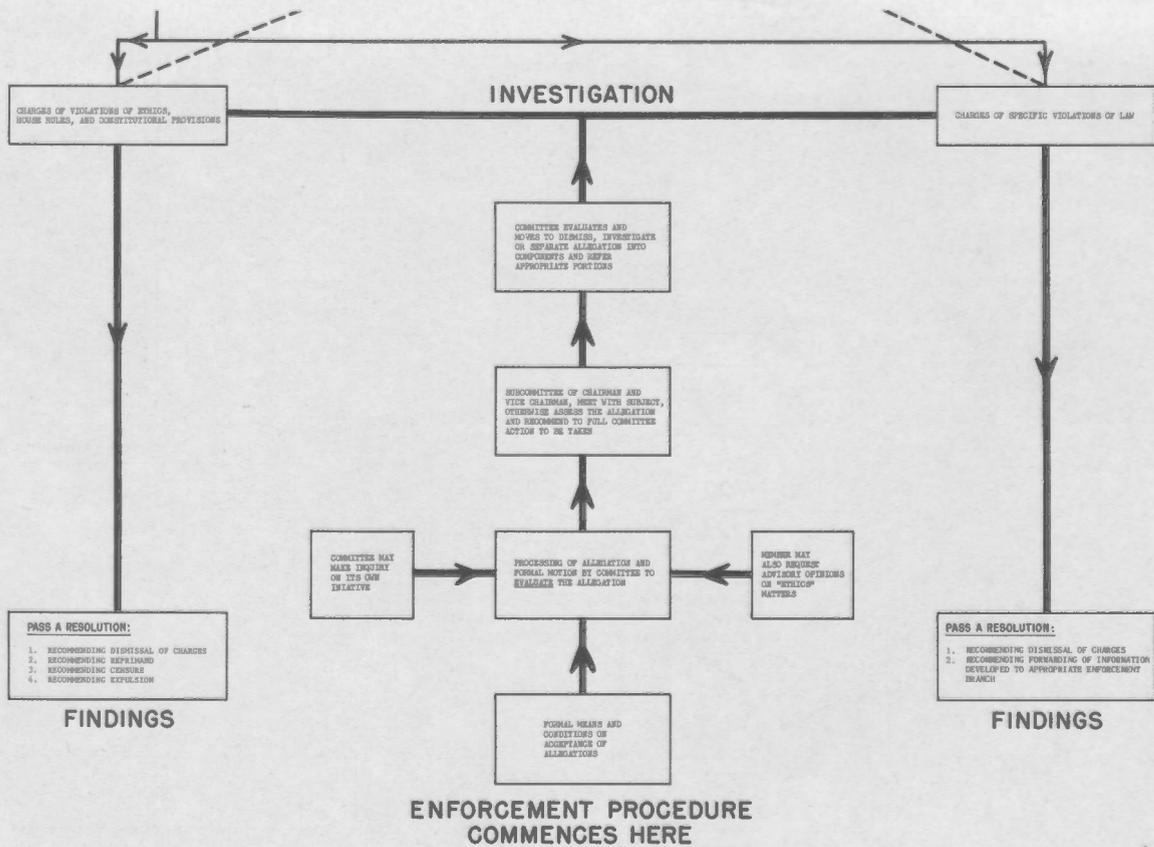
Section 4: Expulsion for disclosure of secret proceedings.



# COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT



44



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REPORT OF GENERAL GEORGE OLMSTED

TREASURER

NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE

TO THE

CLERK OF THE HOUSE OF REPRESENTATIVES

OCTOBER 20 TO OCT. 25

FOR THE PERIOD MARCH 1, 1970 TO MAY 31, 1970, INCLUSIVE



DISBURSEMENTS

rch

6	The C&P Telephone Company, Washington, D. C., Telephone.....	\$ 25.12
6	Washington Capital News Service, New York, N.Y., News Service.....	216.00
6	Mr. P. H. Ibel, New York, N. Y., News Service.....	108.00
6	Chittenden Press Service, Inc., Washington, D. C., News Service.....	190.00
6	Postmaster, Washington, D. C., Newsletter Postage.....	5,000.00
6	Academy Photo Offset, Inc., New York, N.Y., Printing Costs.....	517.24
6	Edwin D. Neff, Washington, D. C., Travel Expense.....	16.00
6	H. A. Post Associates, Washington, D. C., Printing & Duplicating Costs..	792.22
6	Mrs. Charles Drago, Washington, D. C., Professional Services.....	6.00
9	National Camera, Washington, D. C., Supplies.....	12.48
9	Forbes, New York, N.Y., Subscriptions & Publications.....	8.50
9	Clifford Prosser, Jr., Alexandria, Virginia, Professional Services.....	23.10
9	John Lofton, Washington, D. C., Travel Expense.....	26.00
9	Pepsi-Cola Bottling Co. of Wash., D.C., Inc., Hyattsville, Maryland, Employees Office Expense.....	94.55
9	L. David Leroy, Washington, D. C., Travel Expense.....	16.60
9	Hertz System, Inc., New York, N. Y., Travel Expense.....	132.43
9	Patty Waltman, New York, N. Y., Postage & Mailing, & Professional Services.....	132.72
9	Michael Senko, Silver Springs, Maryland, Travel Expense.....	20.00
9	Auto-Letter, Inc., Silver Spring, Maryland, Professional Services.....	41.78
9	Sony Corporation, Silver Spring, Maryland, Executive Repair.....	75.00
9	Hon. Richard Poff, Washington, D. C., Radio-TV Costs.....	101.50
9	Pacific Southwest Airlines, San Diego, California, Travel Expense.....	15.50
9	The Barton, Duer, & Koch Paper Co., Cheverly, Maryland, Supplies.....	388.78
9	Federal Supply Company, Washington, D. C., Supplies.....	64.43
10	Printing Union No. 72., Washington, D. C., Salary (Union Dues).....	12.95
10	Washington Capital News Service, New York, N.Y., News Services.....	108.00
10	Hugh D. MacLean, Arlington, Virginia, Professional Services.....	100.00
10	The C&P Telephone Company, Washington, D. C., Telephone.....	458.47
10	The C&P Telephone Company, Washington, D. C., Telephone.....	21.18
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10	Norelco Service, Inc., Washington, D. C., Furniture & Equipment.....	12.74
10	R.P. Andrews Paper Company, Washington, D. C., Printers' Supplies.....	1,017.33
10	Western Union, Washington, D. C., Telephone & Telegraph.....	6.51
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11	Mrs. Virginia Zertuche, Washington, D. C., Professional Services.....	200.00
11	Hon. Wendell Wyatt, Washington, D. C., Radio-TV Costs.....	89.00
11	Hon. William Wampler, Washington, D. C., Radio-TV Costs.....	500.00
11	Hon. Albert Watson, Washington, D. C., Radio-TV Costs.....	73.00
11	Hon. Larry Winn, Washington, D. C., Radio-TV Costs.....	58.00
11	Hon. Fletcher Thompson, Washington, D. C., Radio-TV Costs.....	89.50
11	Hon. Vernon Thompson, Washington, D. C., Radio-TV Costs.....	23.50
11	Hon. Chalmers Wylie, Washington, D. C., Radio-TV Costs.....	6.00
11	Hon. John Zwach, Washington, D. C., Radio-TV Costs.....	44.50
11	Hon. Durward Hall, Washington, D. C., Radio-TV Costs.....	43.00
11	Hon. James Harvey, Washington, D. C., Radio-TV Costs.....	25.00
11	Hon. James Grover, Washington, D. C., Radio-TV Costs.....	9.50
11	Hon. Wylie Mayne, Washington, D. C., Radio-TV Costs.....	50.00
11	Hon. John Hunt, Washington, D. C., Radio-TV Costs.....	61.00
11	Hon. Manuel Lujan, Washington, D. C., Radio-TV Costs.....	120.00
11	Hon. John B. Anderson, Washington, D. C., Radio-TV Costs.....	407.90
11	Hon. Robert McClory, Washington, D. C., Radio-TV Costs.....	30.00



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11	Hon. John Hunt, Washington, D. C., Radio-TV Costs.....	61.00
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11	Hon. John B. Anderson, Washington, D. C., Radio-TV Costs.....	407.90
11	Hon. Robert McClory, Washington, D. C., Radio-TV Costs.....	30.00



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attendance, and the further sum of \$1000 if he has personally traveled in going and returning. The amount shall be paid by the party at whose instance. (R. S. § 128.)

Historical Note  
From Act Feb. 19, 1851, c. 11, § 11, 9 Stat. 570

of Decisions  
and while either House has the undoubted right to require the personal attendance of witnesses before its committee there is no provision of statute for payment of their fees as such witnesses. Little v. Carey's Case (1878) 14 Ct. Cl. 540.

judge, justice, chancellor, chief executor, referee in bankruptcy, notary public, and all sheriffs, constables, and all employed to serve any subpoena or notary shall be entitled to receive from the party at whose instance such fees as are provided by the laws of the State wherein such service may be performed.

Historical Note  
From Act Feb. 19, 1851, c. 11, § 11, 9 Stat. 570.

of contest for seat in House. No contest shall be held in the House of Representatives shall be held in election contests; and before a contest is held a contestant or contestee for election shall file with the clerk of the Committee on Elections an account of his expenses, accompanied by receipts for each item, which account shall be allowed in said accounts under section 224 of this title. (R. S. § 128.)

Historical Note  
From Act of March 3, 1873, c. 226, 17 Stat. 490, § 1.  
While R. S. § 130 has not been repealed, it was in effect superseded by a provision of the Act of March 3, 1873, c. 182, which constitutes the text.

CHAPTER 8.—FEDERAL CORRUPT PRACTICES

Sec. 241. Definitions.	Sec. 247. Statements; verification; filing; preservation; inspection.
242. Chairman and treasurer of political committee; duties as to contributions; accounts and receipts.	248. Limitation upon amount of expenditures by candidate.
243. Accounts of contributions received.	249. Promises or pledges by candidate.
244. Statements by treasurer filed with Clerk of House of Representatives.	250. Expenditures to influence voting.
245. Statements by others than political committee filed with Clerk of House of Representatives.	251. Contributions by national banks or other Federal corporations; penalty.
246. Statements by candidates for Senator, Representative, Delegate, or Resident Commissioner filed with Secretary of Senate and Clerk of House of Representatives.	252. General penalties for violations.
	253. Expenses of election contests.
	254. State laws not affected.
	255. Partial invalidity.
	256. Citation.

Section 241. Definitions. When used in this chapter—

(a) The term "election" includes a general or special election, and, in the case of a Resident Commissioner from the Philippine Islands, an election by the Philippine Legislature, but does not include a primary election or convention of a political party;

Does not cover primary or convention

(b) The term "candidate" means an individual whose name is presented at an election for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

(c) The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization;

(d) The term "contribution" includes a gift, subscription, loan, advance, or deposit, of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable to make a contribution;

(e) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift, of money, or any thing of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure;

(f) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

(g) The term "Clerk" means the Clerk of the House of Representatives of the United States;

(h) The term "Secretary" means the Secretary of the Senate of the United States;

(i) The term "State" includes Territory and possession of the United States. (June 25, 1910, c. 392, §§ 1, 8, 36 Stat. 822\*; Aug. 19, 1911, c.

\*" 824" should be added.



33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 23, 1925, c. 368, Title III, § 302, 43 Stat. 1070.)

Historical Note

This chapter is the "Federal Corrupt Practices Act of 1925." An earlier act enacted June 25, 1910, c. 392, was with all amendments thereto expressly repealed by the later act.

Notes of Decisions

1. Power of Congress.—The power, under the Constitution of the United States, of Congress to make such provisions as are necessary to secure the fair and honest conduct of an election at which a member of Congress is elected cannot be questioned. *Ex parte Coy* (Ind. 1888) 127 U. S. 731, 8 S. Ct. 1263, 32 L. Ed. 274.

In *Blair v. U. S.* (N. Y. 1919) 250 U. S. 273, 39 S. Ct. 463, 63 L. Ed. 979, affirming (D. C. 1918) 233 F. 800, the constitutionality of the Corrupt Practice Act of 1910 was challenged by witnesses summoned to testify before a grand jury in an investigation instituted thereunder, but the question was not passed on, the court holding that witnesses had no power to raise it, and saying: "The same constitutional question was stirred in *U. S. v. Gradwell* (R. I. 1917) 243 U. S. 476, 487, 37 S. Ct. 407, 61 L. Ed. 857, 865, but its determination was unnecessary for the decision of the case, and for this reason it was left undetermined, as the opinion states. Considerations of propriety, as well as long-established practice, demand that we refrain from passing upon the constitutionality of an act of Congress unless obliged to do so in the proper performance of our judicial function, when the question is raised by a party whose interests entitle him to raise it. We do not think the present parties are so entitled, since a brief consideration of the relation of a witness to the proceeding in which he is called will suffice to show that he is not interested to challenge the jurisdiction of

court or grand jury over the subject-matter that is under inquiry."

2. Primary election as "election."—The word "election" as used without qualification, refers to a general election and not to a primary election. *U. S. v. O'Toole* (D. C. W. Va. 1916) 236 F. 993.

The Corrupt Practice Act of 1910 recognizing primary elections and limiting the expenditures of candidates for senator in connection with them was held not in effect an adoption by Congress of all state primary laws. *U. S. v. Gradwell* (1917) 243 U. S. 476, 37 S. Ct. 407, 61 L. Ed. 857, affirming (D. C. R. I. 1916) 234 F. 446, and *U. S. v. O'Toole* (D. C. W. Va. 1916) 236 F. 993.

3. Mandamus.—Under the Corrupt Practice Act of 1910, it was held that there was no remedy given by mandamus to enforce the provisions of the Act. In *re Higdon* (D. C. Mo. 1920) 269 F. 152. The court said: "Enforcement is by indictment and trial in the customary way. No remedy by original action in mandamus is given those injured. The proceeding here is neither an inquiry by a grand jury nor the trial of a criminal case under those acts. Though Congress might provide for federal supervision of all elections, primary, general, and special, relating to nomination and election to office under the Constitution and laws of the United States, and provide for enforcement thereof by mandamus, or any other suitable remedy, it has not done so."

§ 242. Chairman and treasurer of political committee; duties as to contributions; accounts and receipts. (a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such chairman and treasurer have been chosen.

(b) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

- (1) All contributions made to or for such committee;
- (2) The name and address of every person making any such contribution, and the date thereof;
- (3) All expenditures made by or on behalf of such committee; and
- (4) The name and address of every person to whom any such expenditure is made, and the date thereof.

(c) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on be-

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half of a political committee exceeding \$10 in amount. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items. (June 25, 1910, c. 392, §§ 2, 3, 36 Stat. 823; Feb. 28, 1925, c. 368, Title III, § 303, 43 Stat. 1071.)

§ 243. Accounts of contributions received. Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received. (June 25, 1910, c. 392, § 4, 36 Stat. 823; Feb. 28, 1925, c. 368, Title III, § 304, 43 Stat. 1071.)

§ 244. Statements by treasurer filed with Clerk of House of Representatives. (a) The treasurer of a political committee shall file with the Clerk between the 1st and 10th days of March, June, and September, in each year, and also between the 10th and 15th days, and on the 5th day, next preceding the date on which a general election is to be held, at which candidates are to be elected in two or more States, and also on the 1st day of January, a statement containing, complete as of the day next preceding the date of filing—

(1) The name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, of \$100 or more, together with the amount and date of such contribution;

(2) The total sum of the contributions made to or for such committee during the calendar year and not stated under paragraph (1);

(3) The total sum of all contributions made to or for such committee during the calendar year;

(4) The name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such committee, and the amount, date, and purpose of such expenditure;

(5) The total sum of all expenditures made by or on behalf of such committee during the calendar year and not stated under paragraph (4);

(6) The total sum of expenditures made by or on behalf of such committee during the calendar year.

(b) The statements required to be filed by subdivision (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

(c) The statement filed on the 1st day of January shall cover the preceding calendar year. (June 25, 1910, c. 392, §§ 5, 6, 36 Stat. 823; Aug. 19, 1911, c. 33, § 1, 37 Stat. 25; Feb. 28, 1925, c. 368, Title III, § 305, 43 Stat. 1071.)

§ 245. Statements by others than political committee filed with Clerk of House of Representatives. Every person (other than a political committee) who makes an expenditure in one or more items,



other than by contribution to a political committee, aggregating \$50 or more within a calendar year for the purpose of influencing in two or more States the election of candidates, shall file with the Clerk an itemized detailed statement of such expenditure in the same manner as required of the treasurer of a political committee by section 244 of this title. (June 25, 1910, c. 392, § 7, 36 Stat. 824; Feb. 28, 1925, c. 368, Title III, § 306, 43 Stat. 1072.)

§ 246. Statements by candidates for Senator, Representative, Delegate, or Resident Commissioner filed with Secretary of Senate and Clerk of House of Representatives. (a) Every candidate for Senator shall file with the Secretary and every candidate for Representative, Delegate, or Resident Commissioner shall file with the Clerk not less than ten nor more than fifteen days before, and also within thirty days after, the date on which an election is to be held, a statement containing, complete as of the day next preceding the date of filing—

(1) A correct and itemized account of each contribution received by him or by any person for him with his knowledge or consent, from any source, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person who has made such contribution;

(2) A correct and itemized account of each expenditure made by him or by any person for him with his knowledge or consent, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person to whom such expenditure was made; except that only the total sum of expenditures for items specified in subdivision (c) of section 248 of this title need be stated;

(3) A statement of every promise or pledge made by him or by any person for him with his consent, prior to the closing of the polls on the day of the election, relative to the appointment or recommendation for appointment of any person to any public or private position or employment for the purpose of procuring support in his candidacy, and the name, address, and occupation of every person to whom any such promise or pledge has been made, together with the description of any such position. If no such promise or pledge has been made, that fact shall be specifically stated.

(b) The statements required to be filed by subdivision (a) shall be cumulative, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

(c) Every candidate shall inclose with his first statement a report, based upon the records of the proper State official, stating the total number of votes cast for all candidates for the office which the candidate seeks, at the general election next preceding the election at which he is a candidate. (June 25, 1910, c. 392, § 8, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 307, 43 Stat. 1072.)

Notes of Decisions

1. Primary election or convention.—The Corrupt Practice Act of 1910 applied not only to final elections for choosing Senators, but also to primaries and conventions of political parties for selection of candidates. As to such primaries and

conventions it was held at the time it was enacted of power which Congress elections for Senators was U. S. Const., Art. I, and the language of the provision was not broad

§ 247. Statement of A statement required of a treasurer of a political Secretary, as the

(a) Shall be verified by such statement, taken

(b) Shall be deposited at the post office within ten days directed to the Clerk of the but in the event it is not be promptly filed and receipt;

(c) Shall be preserved for two years from the date of his office, and section 392, § 8, 36 Stat. 1912, c. 349, 37 Stat. 1072.)

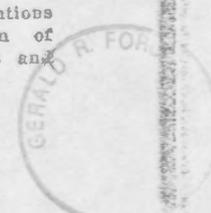
1. Notary public as to oaths.—A notary public "an officer authorized within the meaning of the law. Cameron (D. C. Ar

2. False oath as to perjury.—In the Corrupt Practice Act of 1910 while a candidate to include in his statement as well as expenditures matter only. Hence, a candidate is subject to a prosecution in case of an alleged violation of the amounts received and oath was not false

§ 248. Limitation on A candidate, in his statement in excess of the amount of the State in which he may lawfully

(b) Unless the amount limit of contributions up to—

(1) The sum of \$2,500 if a candidate for Commissioner; or



mittee, aggregating \$50  
urpose of influencing in  
shall file with the Clerk  
diture in the same man-  
al committee by section  
36 Stat. 824; Feb. 28,

or, Representative, Dele-  
Secretary of Senate and  
y candidate for Senator  
date for Representative,  
file with the Clerk not  
before, and also within  
on is to be held, a state-  
ct preceding the date of

contribution received by  
dge or consent, from any  
election, or for the pur-  
together with the name  
;  
expenditure made by him  
or consent, in aid or sup-  
urpose of influencing the  
e of the person to whom  
the total sum of expendi-  
f section 248 of this title

e made by him or by any  
closing of the polls on the  
nt or recommendation for  
private position or employ-  
n his candidacy, and the  
a to whom any such prom-  
e description of any such  
een made, that fact shall

r subdivision (a) shall be  
ge in an item reported in  
e carried forward.

s first statement a report,  
official, stating the total  
office which the candidate  
the election at which he  
Stat. 824; Aug. 19, 1911,  
7 Stat. 360; Feb. 28, 1925,

so to primaries and conventions  
al parties for selection of  
As to such primaries and

conventions it was held invalid because  
at the time it was enacted the only source  
of power which Congress possessed over  
elections for Senators and Representatives  
was U. S. Const., Art. 1, § 4, which regu-  
lated the manner of holding such elections,  
and the language of that constitutional  
provision was not broad enough to include

primaries. The 17th Amendment dealing  
with the election of Senators was held to  
antedate that section and so could not be  
considered in connection with it. *New-  
berry v. U. S.* (Mich. 1921) 236 U. S. 232,  
41 S. Ct. 469, 65 L. Ed. 913. See, also, *U. S.  
v. Cameron* (D. C. Ariz. 1922) 282 F. 654.

E

§ 247. Statements; verification; filing; preservation; inspection.  
A statement required by this chapter to be filed by a candidate or  
treasurer of a political committee or other person with the Clerk or  
Secretary, as the case may be—

(a) Shall be verified by the oath or affirmation of the person filing  
such statement, taken before any officer authorized to administer oaths;

(b) Shall be deemed properly filed when deposited in an established  
post office within the prescribed time, duly stamped, registered, and di-  
rected to the Clerk or Secretary at Washington, District of Columbia,  
but in the event it is not received, a duplicate of such statement shall  
be promptly filed upon notice by the Clerk or Secretary of its nonre-  
ceipt;

(c) Shall be preserved by the Clerk or Secretary for a period of two  
years from the date of filing, shall constitute a part of the public records  
of his office, and shall be open to public inspection. (June 25, 1910, c.  
392, § 8, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23,  
1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 308, 43 Stat.  
1072.)

Notes of Decisions

1. Notary public as authorized to admin-  
ister oaths.—A notary public of a state is  
"an officer authorized to administer oaths"  
within the meaning of this section. *U. S.  
v. Cameron* (D. C. Ariz. 1922) 282 F. 655.

ter." *U. S. v. Cameron* (D. C. Ariz. 1922)  
282 F. 654.

2. False oath as to amount received as  
perjury in the Corrupt Practice Act  
of 1910 while a candidate was required  
to include in his statements all receipts  
as well as expenditures, it limited the  
latter only. Hence, a candidate was not  
subject to a prosecution for perjury be-  
cause of an alleged false oath regarding  
the amounts received by him, since the  
oath was not false in a "material mat-

Under the Corrupt Practice Act of  
1910 one who was a candidate for sena-  
tor at a general election was not "a can-  
didate for nomination at any primary  
election or nominating convention,  
\* \* \* or election by the legislature of  
any state" within the meaning of the  
act in view of the Seventeenth Amend-  
ment to the United States Constitution  
providing for the election of senators  
by popular vote, and hence was not sub-  
ject to prosecution for perjury for an al-  
leged false statement in a statement of  
receipts and expenditures made under  
the Act. *Id.*

§ 248. Limitation upon amount of expenditures by candidate. (a)  
A candidate, in his campaign for election, shall not make expenditures  
in excess of the amount which he may lawfully make under the laws  
of the State in which he is a candidate, nor in excess of the amount  
which he may lawfully make under the provisions of this title.

(b) Unless the laws of his State prescribe a less amount as the maxi-  
mum limit of campaign expenditures, a candidate may make expendi-  
tures up to—

(1) The sum of \$10,000 if a candidate for Senator, or the sum of  
\$2,500 if a candidate for Representative, Delegate, or Resident Com-  
missioner; or



(2) An amount equal to the amount obtained by multiplying three cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding \$25,000 if a candidate for Senator or \$5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

(c) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) as the limit of campaign expenses of a candidate. (June 25, 1910, c. 392, §§ 8, 9, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 309, 43 Stat. 1073.)

§ 249. Promises or pledges by candidate. It is unlawful for any candidate to directly or indirectly promise or pledge the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy. (June 25, 1910, c. 392, § 8, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 310, 43 Stat. 1073.)

§ 250. Expenditures to influence voting. It is unlawful for any person to make or offer to make an expenditure, or to cause an expenditure to be made or offered, to any person, either to vote or withhold his vote, or to vote for or against any candidate, and it is unlawful for any person to solicit, accept, or receive any such expenditure in consideration of his vote or the withholding of his vote. (June 25, 1910, c. 392, § 8, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 311, 43 Stat. 1073.)

Notes of Decisions

1. Mandamus.—Under earlier acts relating to the same subject as the text it was held that the federal District Courts had no power to compel rights thereunder by mandamus. In re Higdon (D. C. Mo. 1920) 269 F. 150.

§ 251. Contributions by national banks or other Federal corporations; penalty. It is unlawful for any national bank or any corporation organized by authority of any law of Congress, to make a contribution in connection with any election to any political office, or for any corporation whatever to make a contribution in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation which makes any contribution in violation of this section shall be fined not more than



\$5,000; and even to any contribution shall be fined not more than \$5,000 in any one year, or both. (June 25, 1910, c. 392, § 10, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 312, 43 Stat. 1074.)

This section is § 312 of the Act of 1925, c. 368, 43 Stat. 1074, which took the place of § 312 of the Act of 1912, c. 349, 37 Stat. 360, with the language of the Act of 1912, c. 349, 37 Stat. 360, Code (see Act of 1912, c. 349, 37 Stat. 360, Code) repealed by § 312 of the Act of 1925, c. 368, 43 Stat. 1074.

1. Constitutional power. The power to regulate elections is a power which is conferred upon Congress by the Constitution. It is a power which is conferred upon Congress by the Constitution, and it is a power which is conferred upon Congress by the Constitution. The power to regulate elections is a power which is conferred upon Congress by the Constitution, and it is a power which is conferred upon Congress by the Constitution. The power to regulate elections is a power which is conferred upon Congress by the Constitution, and it is a power which is conferred upon Congress by the Constitution.

2. Money. The power to regulate elections is a power which is conferred upon Congress by the Constitution, and it is a power which is conferred upon Congress by the Constitution. The power to regulate elections is a power which is conferred upon Congress by the Constitution, and it is a power which is conferred upon Congress by the Constitution. The power to regulate elections is a power which is conferred upon Congress by the Constitution, and it is a power which is conferred upon Congress by the Constitution.

§ 252. Ge. It is unlawful for any person to make or offer to make an expenditure, or to cause an expenditure to be made or offered, to any person, either to vote or withhold his vote, or to vote for or against any candidate, and it is unlawful for any person to solicit, accept, or receive any such expenditure in consideration of his vote or the withholding of his vote. (June 25, 1910, c. 392, § 8, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 311, 43 Stat. 1073.)

§ 253. E. It is unlawful for any person to make or offer to make an expenditure, or to cause an expenditure to be made or offered, to any person, either to vote or withhold his vote, or to vote for or against any candidate, and it is unlawful for any person to solicit, accept, or receive any such expenditure in consideration of his vote or the withholding of his vote. (June 25, 1910, c. 392, § 8, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 311, 43 Stat. 1073.)

by multiplying three general election for weeks, but in no event 5,000 if a candidate is elected.

and discharge any assets by the laws of the necessary personal, postage, writing, or newspapers), for disbursement or telephone for his expenditures of subdivision (b) (June 25, 1910, c. 37 Stat. 26; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Feb. 28, 1925, c. 368, Title III, § 314, 43 Stat. 1074.)

unlawful for any person to receive the appointment of an elector, for the purpose of receiving a vote, (June 25, 1910, c. 392, § 11, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Feb. 28, 1925, c. 368, Title III, § 315, 43 Stat. 1074.)

unlawful for any person to receive a vote or withhold a vote and it is unlawful for any person to receive a vote. (June 25, 1910, c. 392, § 10, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Feb. 28, 1925, c. 368, Title III, § 315, 43 Stat. 1074.)

to compel rights thereunder. In re Higdon (D. C.

Federal corporations, or any corporation, to make a contribution to any political office, or to any person in connection with a Presidential election or Resident elector, or any candidate, or to receive any contribution which makes any person ineligible to be elected, or to receive more than

\$5,000; and every officer or director of any corporation who consents to any contribution by the corporation in violation of this section shall be fined not more than \$1,000, or imprisoned not more than one year, or both. (Jan. 26, 1907, c. 420, 34 Stat. 864; Mar. 4, 1909, c. 321, § 83, 35 Stat. 1103; Feb. 28, 1925, c. 368, Title III, § 313, 43 Stat. 1074.)

#### Historical Note

This section is § 313 of Act of Feb. 28, 1925, c. 368, 43 Stat. 1074. That section took the place of and is almost identical with the language of § 83 of the Criminal Code (see Act of March 4, 1909, c. 321, § 83, 35 Stat. 1103 cited to the text) which was repealed by § 318 of the Act of Feb. 28,

1925. Section 83 of the Criminal Code was in the language of the Act of Jan. 26, 1907, c. 420, 34 Stat. 864.

In the Acts of 1907 and 1909 the word "money" preceded the word "Contribution." The word "money" was omitted in the Act of 1925.

#### Notes of Decisions

1. **Constitutionality.**—Congress has constitutional power to prohibit contributions to be made by certain corporations in connection with any election at which, among others, representatives in Congress are to be voted for. *U. S. v. Brewers' Ass'n* (D. C. Pa. 1916) 239 F. 163, wherein the court said: "If it should be held that Congress exceeded its power in including, among others, elections in which Presidential and Vice Presidential electors are to be voted for, on the ground that they are officers of the state and not of the federal government, that would not, in my opinion, invalidate the act, except as to that particular provision."

2. **Money contributions.**—The words "money contributions" as used in the earlier statutes were held to be "not vague and uncertain, but, on the contrary, their meaning was plain and their purpose as used in the statute unmistakable. Whether, in any given case, an expenditure by a corporation should be construed as 'a money contribution in connection with any election,' within the spirit, intent, and

meaning of the act of Congress, might become a question for the court or jury in the light of all the circumstances of the case." *U. S. v. U. S. Brewers' Ass'n* (D. C. Pa. 1916) 239 F. 163.

3. **Indictment.**—An indictment against corporations for conspiracy to make unlawful campaign contributions, need not allege that offense with the particularity of an indictment directly charging it as an offense. *U. S. v. U. S. Brewers' Ass'n* (D. C. Pa. 1916) 239 F. 164.

4. **Contempt proceedings.**—Where the grand jury returned an indictment against corporations for violating the earlier statute of 1909, it was held that the inquiry being no longer in progress: questions whether a witness was guilty of contempt in failing to produce documentary evidence and give testimony as required would not be determined on writs of error to review denial of his application for habeas corpus and to review motion to quash presentment. *Ex parte Fox* (Pa. 1916) 230 F. 861, 150 C. C. A. 123.

§ 252. General penalties for violations. (a) Any person who violates any of the foregoing provisions of this chapter, except those for which a specific penalty is imposed by section 208 of Title 18, and section 251 of this title, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) Any person who willfully violates any of the foregoing provisions of this chapter, except those for which a specific penalty is imposed by section 208 of Title 18, and section 251 of this title, shall be fined not more than \$10,000 and imprisoned not more than two years. (June 25, 1910, c. 392, § 11, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Feb. 28, 1925, c. 368, Title III, § 314, 43 Stat. 1074.)

§ 253. Expenses of election contests. This chapter shall not limit or affect the right of any person to make expenditures for proper legal expenses in contesting the results of an election. (June 25, 1910, c. 392, § 10, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Feb. 28, 1925, c. 368, Title III, § 315, 43 Stat. 1074.)



§ 254. State laws not affected. This chapter shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this title, or to exempt any candidate from complying with such State laws. (June 25, 1910, c. 392, § 8, 36 Stat. 824; Aug. 19, 1911, c. 33, § 2, 37 Stat. 26; Aug. 23, 1912, c. 349, 37 Stat. 360; Feb. 28, 1925, c. 368, Title III, § 316, 43 Stat. 1074.)

§ 255. Partial invalidity. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the chapter and of the application of such provision to other persons and circumstances shall not be affected thereby. (Feb. 28, 1925, c. 368, Title III, § 317, 43 Stat. 1074.)

§ 256. Citation. This chapter may be cited as the "Federal Corrupt Practices Act." (Feb. 28, 1925, c. 368, Title III, § 301, 43 Stat. 1070.)

CHAPTER 9.—OFFICE OF LEGISLATIVE COUNSEL

<p>Sec. 271. Creation of office. 272. Appointment of legislative counsel; qualifications. 273. Compensation of legislative counsel. 274. Assistant legislative counsel; clerks</p>	<p>Sec. and employees; office equipment and supplies. 275. Duties of office; rules and regulations. 276. Disbursement of appropriations. 277. Official mail matter.</p>
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Section 271. Creation of office. There shall be an office to be known as the office of the legislative counsel, and to be under the direction of two legislative counsel. (Feb. 24, 1919, c. 18, § 1303, 40 Stat. 1141; June 2, 1924, c. 234, § 1101, 43 Stat. 353.)

§ 272. Appointment of legislative counsel; qualifications. One of the legislative counsel shall be appointed by the President of the Senate, and one by the Speaker of the House of Representatives, without reference to political affiliations and solely on the ground of fitness to perform the duties of the office. (Feb. 24, 1919, c. 18, § 1303, 40 Stat. 1141; June 2, 1924, c. 234, § 1101, 43 Stat. 353.)

§ 273. Compensation of legislative counsel. The positions of legislative counsel shall be allocated from time to time by the President of the Senate and the Speaker of the House of Representatives, jointly, to the appropriate grade in the compensation schedules of section 673 of Title 5. The rate of compensation of each of the two legislative counsel shall be fixed from time to time, within the limits of such grade, by the President of the Senate and the Speaker of the House of Representatives, respectively. (June 2, 1924, c. 234, § 1101, 43 Stat. 353.)

§ 274. Assistant legislative counsel; clerks and employees; office equipment and supplies. The legislative counsel shall, subject to the approval of the President of the Senate and the Speaker of the

House of Representatives; assistant counsel; office furniture, office equipment, and as may be necessary. (Feb. 24, 1919, c. 18, § 1303, 40 Stat. 1141.)

§ 275. Duties of legislative counsel. The legislative counsel shall advise the President of the Senate and the Speaker of the House of Representatives on all matters relating to the business of the House of Representatives, and shall perform such other duties as may be required of them. (Feb. 24, 1919, c. 18, § 1303, 40 Stat. 1141.)

§ 276. Disbursement of appropriations. The legislative counsel shall be entitled to the same privileges and immunities as the officers of the House of Representatives. (Feb. 24, 1919, c. 18, § 1303, 40 Stat. 1141.)

§ 277. Office of legislative counsel. The office of legislative counsel shall be in the same building as the office of the Speaker of the House of Representatives. (Feb. 24, 1919, c. 18, § 1303, 40 Stat. 1141.)





Public Law 92-225  
92nd Congress, S. 382  
February 7, 1972

An Act

To promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Election Campaign Act of 1971".

Federal Election Campaign Act of 1971.

TITLE I—CAMPAIGN COMMUNICATIONS

SHORT TITLE

SEC. 101. This title may be cited as the "Campaign Communications Reform Act".

Citation of title.

DEFINITIONS

SEC. 102. For purposes of this title:

(1) The term "communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, and telephones; but, with respect to telephones, spending or an expenditure shall be deemed to be spending or an expenditure for the use of communications media only if such spending or expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment, used by a candidate for Federal elective office to communicate with potential voters (excluding any costs of telephones incurred by a volunteer for use of telephones by him).

(2) The term "broadcasting station" has the same meaning as such term has under section 315(f) of the Communications Act of 1934.

86 STAT. 3  
86 STAT. 4

(3) The term "Federal elective office" means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States (and for purposes of section 103(b) such term includes the office of Vice President).

Post, p. 7.

(4) The term "legally qualified candidate" means any person who (A) meets the qualifications prescribed by the applicable laws to hold the Federal elective office for which he is a candidate, and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors.

(5) The term "voting age population" means resident population, eighteen years of age and older.

(6) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

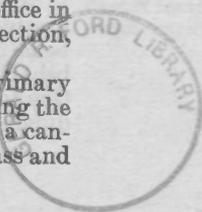
MEDIA RATE AND RELATED REQUIREMENTS

SEC. 103. (a) (1) Section 315(b) of the Communications Act of 1934 is amended to read as follows:

66 Stat. 717.  
47 USC 315.

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office in connection with his campaign for nomination for election, or election, to such office shall not exceed—

"(1) during the forty-five days preceding the date of a primary or primary runoff election and during the sixty days preceding the date of a general or special election in which such person is a candidate, the lowest unit charge of the station for the same class and amount of time for the same period; and



74 Stat. 894.  
47 USC 312.

"(2) at any other time, the charges made for comparable use of such station by other users thereof."

(2) (A) Section 312(a) of such Act is amended by striking "or" at the end of clause (5), striking the period at the end of clause (6) and inserting in lieu thereof a semicolon and "or", and adding at the end of such section 312(a) the following new paragraph:

66 Stat. 717.  
47 USC 315.  
Nonbroadcast  
media rates.

"(7) for willful or repeated failure to allow reasonable access to or to permit purchase of reasonable amounts of time for the use of a broadcasting station by a legally qualified candidate for Federal elective office on behalf of his candidacy."

(B) The second sentence of section 315(a) of such Act is amended by inserting "under this subsection" after "No obligation is imposed".

(b) To the extent that any person sells space in any newspaper or magazine to a legally qualified candidate for Federal elective office, or nomination thereto, in connection with such candidate's campaign for nomination for, or election to, such office, the charges made for the use of such space in connection with his campaign shall not exceed the charges made for comparable use of such space for other purposes.

86 STAT. 4  
86 STAT. 5

LIMITATIONS OF EXPENDITURES FOR USE OF COMMUNICATIONS MEDIA

SEC. 104. (a) (1) Subject to paragraph (4), no legally qualified candidate in an election (other than a primary or primary runoff election) for a Federal elective office may—

(A) spend for the use of communications media on behalf of his candidacy in such election a total amount in excess of the greater of—

(i) 10 cents multiplied by the voting age population (as certified under paragraph (5)) of the geographical area in which the election for such office is held, or

(ii) \$50,000, or

(B) spend for the use of broadcast stations on behalf of his candidacy in such election a total amount in excess of 60 per centum of the amount determined under subparagraph (A) with respect to such election.

Primaries.

(2) No legally qualified candidate in a primary election for nomination to a Federal elective office, other than President, may spend—

(A) for the use of communications media, or

(B) for the use of broadcast stations,

on behalf of his candidacy in such election a total amount in excess of the amounts determined under paragraph (1) (A) or (B), respectively, with respect to the general election for such office. For purposes of this subsection a primary runoff election shall be treated as a separate primary election.

Presidential  
primaries.

(3) (A) No person who is a candidate for presidential nomination may spend—

(i) for the use in a State of communications media, or

(ii) for the use in a State of broadcast stations,

on behalf of his candidacy for presidential nomination a total amount in excess of the amounts which would have been determined under paragraph (1) (A) or (B), respectively, had he been a candidate for election for the office of Senator from such State (or for the office of Delegate or Resident Commissioner in the case of the District of Columbia or the Commonwealth of Puerto Rico).

(B) For purposes of this paragraph (3), a person is a candidate for presidential nomination if he makes (or any other person makes on his behalf) an expenditure for the use of any communications medium on behalf of his candidacy for any political party's nomination for election to the office of President. He shall be considered to be such a candidate during the period—

(i) beginning on the date on which he (or such other person) first makes such an expenditure (or, if later, January 1 of the year in which the election for the office of President is held), and

(ii) ending on the date on which such political party nominates a candidate for the office of President.

For purposes of this title and of section 315 of the Communications Act of 1934, a candidate for presidential nomination shall be considered a legally qualified candidate for public office.

(C) The Comptroller General shall prescribe regulations under which any expenditure by a candidate for presidential nomination for the use in two or more States of a communications medium shall be attributed to such candidate's expenditure limitation in each such State, based on the number of persons in such State who can reasonably be expected to be reached by such communications medium.

(4) (A) For purposes of subparagraph (B):

(i) The term "price index" means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

(ii) The term "base period" means the calendar year 1970.

(B) At the beginning of each calendar year (commencing in 1972), as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Comptroller General and publish in the Federal Register the per centum difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. Each amount determined under paragraph (1) (A) (i) and (ii) shall be increased by such per centum difference. Each amount so increased shall be the amount in effect for such calendar year.

(5) Within 60 days after the date of enactment of this Act, and during the first week of January in 1973 and every subsequent year, the Secretary of Commerce shall certify to the Comptroller General and publish in the Federal Register an estimate of the voting age population of each State and congressional district for the last calendar year ending before the date of certification.

(6) Amounts spent for the use of communications media on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) shall, for the purposes of this subsection, be deemed to have been spent by such candidate. Amounts spent for the use of communications media by or on behalf of any legally qualified candidate for the office of Vice President of the United States shall, for the purposes of this section, be deemed to have been spent by the candidate for the office of President of the United States with whom he is running.

(7) For purposes of this section and section 315(c) of the Communications Act of 1934—

(A) spending and charges for the use of communications media include not only the direct charges of the media but also agents' commissions allowed the agent by the media, and

(B) any expenditure for the use of any communications medium by or on behalf of the candidacy of a candidate for Federal elective office (or nomination thereto) shall be charged against the expenditure limitation under this subsection applicable to the election in which such medium is used.

(b) No person may make any charge for the use by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) of any newspaper, magazine, or outdoor advertising facility, unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies in writing to the

66 Stat. 717;  
73 Stat. 557.  
47 USC 315.  
Regulations.  
86 STAT. 5  
86 STAT. 6

"Price index."

"Base period."  
Publication in  
Federal Register.

Publication in  
Federal Register.

Post, p. 7.

Certification  
requirement.

person making such charge that the payment of such charge will not violate paragraph (1), (2), or (3) of subsection (a), whichever is applicable.

66 Stat. 717.  
47 USC 315.

(c) Section 315 of the Communications Act of 1934 is amended by redesignating subsection (c) as subsection (g) and by inserting after subsection (b) the following new subsections:

"(c) No station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate any limitation specified in paragraph (1), (2), or (3) of section 104(a) of the Campaign Communications Reform Act, whichever paragraph is applicable.

Ante, p. 5.

"(d) If a State by law and expressly—

"(1) has provided that a primary or other election for any office of such State or of a political subdivision thereof is subject to this subsection,

"(2) has specified a limitation upon total expenditures for the use of broadcasting stations on behalf of the candidacy of each legally qualified candidate in such election,

"(3) has provided in any such law an unequivocal expression of intent to be bound by the provisions of this subsection, and

"(4) has stipulated that the amount of such limitation shall not exceed the amount which would be determined for such election under section 104(a)(1)(B) or 104(a)(2)(B) (whichever is applicable) of the Campaign Communications Reform Act had such election been an election for a Federal elective office or nomination thereto;

then no station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate in such election unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate such State limitation.

Penalty.

"(e) Whoever willfully and knowingly violates the provisions of subsection (c) or (d) of this section shall be punished by a fine not to exceed \$5,000 or imprisonment for a period not to exceed five years, or both. The provisions of sections 501 through 503 of this Act shall not apply to violations of either such subsection.

47 USC 501-503.

"(f) (1) For the purposes of this section:

Definitions.

"(A) The term 'broadcasting station' includes a community antenna television system.

"(B) The terms 'licensee' and 'station licensee' when used with respect to a community antenna television system, means the operator of such system.

"(C) The term 'Federal elective office' means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States.

"(2) For purposes of subsections (c) and (d), the term 'legally qualified candidate' means any person who (A) meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors."

#### REGULATIONS

SEC. 105. The Comptroller General shall prescribe such regulations as may be necessary or appropriate to carry out sections 102, 103(b), 104(a), and 104(b) of this Act.

#### PENALTIES

SEC. 106. Whoever willfully and knowingly violates any provision of section 103(b), 104(a), or 104(b) or any regulation under section 105 shall be punished by a fine of not more than \$5,000 or by imprisonment of not more than five years, or both.

#### TITLE II—CRIMINAL CODE AMENDMENTS

SEC. 201. Section 591 of title 18, United States Code, is amended to read as follows: 62 Stat. 719.

#### § 591. Definitions

"When used in sections 597, 599, 600, 602, 608, 610, and 611 of this title—

Post, pp. 9, 10.

"(a) 'election' means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(b) 'candidate' means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, to Federal office, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

"(c) 'Federal office' means the office of President or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

"(d) 'political committee' means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000;

"(e) 'contribution' means—

"(1) a gift, subscription, loan, advance, or deposit of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes;

"(3) a transfer of funds between political committees;

"(4) the payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or political committee without charge for any such purpose; and

"(5) notwithstanding the foregoing meanings of 'contribution', the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee;

"(f) 'expenditure' means—

"(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure; and

"(3) a transfer of funds between political committees;

"(g) 'person' and 'whoever' mean an individual, partnership, committee, association, corporation, or any other organization or group of persons; and

"(h) 'State' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States."

SEC. 202. Section 600 of title 18, United States Code, is amended to read as follows:

**"§ 600. Promise of employment or other benefit for political activity**

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

SEC. 203. Section 608 of title 18, United States Code, is amended to read as follows:

**"§ 608. Limitations on contributions and expenditures**

"(a) (1) No candidate may make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election, or election, to Federal office in excess of—

"(A) \$50,000, in the case of a candidate for the office of President or Vice President;

"(B) \$35,000, in the case of a candidate for the office of Senator; or

Exception.

62 Stat. 721.

62 Stat. 723.

"(C) \$25,000, in the case of a candidate for the office of Representative, or Delegate or Resident Commissioner to the Congress.

"(2) For purposes of this subsection, 'immediate family' means a candidate's spouse, and any child, parent, grandparent, brother, or sister of the candidate, and the spouses of such persons.

"(b) No candidate or political committee shall knowingly accept any contribution or authorize any expenditure in violation of the provisions of this section.

"(c) Violation of the provisions of this section is punishable by a fine not to exceed \$1,000, imprisonment for not to exceed one year, or both."

SEC. 204. Section 609 of title 18, United States Code, is repealed.

SEC. 205. Section 610 of title 18, United States Code, relating to contributions or expenditures by national banks, corporations, or labor organizations, is amended by adding at the end thereof the following paragraph:

"As used in this section, the phrase 'contribution or expenditure' shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section; but shall not include communications by a corporation to its stockholders and their families or by a labor organization to its members and their families on any subject; nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and their families, or by a labor organization aimed at its members and their families; the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation or labor organization: *Provided*, That it shall be unlawful for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction."

SEC. 206. Section 611 of title 18, United States Code, is amended to read as follows:

**"§ 611. Contributions by Government contractors**

"Whoever—

"(a) entering into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (1) the completion of performance under, or (2) the termination of negotiations for, such contract or furnishing of material, supplies, equipment, land or buildings, directly or indirectly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

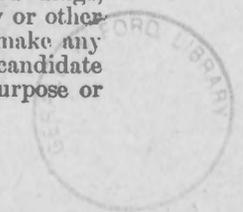
"Immediate family."

Penalty.

Repeal.  
62 Stat. 723.

"Contribution or expenditure."

62 Stat. 724.



"(b) knowingly solicits any such contribution from any such person for any such purpose during any such period; shall be fined not more than \$5,000 or imprisoned not more than five years, or both."

Sec. 207. The table of sections for chapter 29 of title 18, United States Code, is amended by—

(1) striking out the item relating to section 608 and inserting in lieu thereof the following:

"608. Limitations on contributions and expenditures.;"

(2) striking out the item relating to section 609 and inserting in lieu thereof the following:

"609. Repealed.;"

(3) striking out the item relating to section 611 and inserting in lieu thereof the following:

"611. Contributions by Government contractors."

### TITLE III—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

#### DEFINITIONS

Sec. 301. When used in this title—

(a) "election" means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(b) "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(c) "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

(d) "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000;

(e) "contribution" means—

(1) a gift, subscription, loan, advance, or deposit of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as a presidential or vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expres-

sion of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make a contribution for any such purpose;

(3) a transfer of funds between political committees;

(4) the payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or committee without charge for any such purpose; and

(5) notwithstanding the foregoing meanings of "contribution", the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee;

(f) "expenditure" means—

(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as a presidential and vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and

(3) a transfer of funds between political committees;

(g) "supervisory officer" means the Secretary of the Senate with respect to candidates for Senator; the Clerk of the House of Representatives with respect to candidates for Representative in, or Delegate or Resident Commissioner to, the Congress of the United States; and the Comptroller General of the United States in any other case;

(h) "person" means an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons; and

(i) "State" means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

#### ORGANIZATION OF POLITICAL COMMITTEES

Sec. 302. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution in excess of \$10 for a political committee shall, on demand of the treasurer, and in any event within five days after receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and

Exception.

address (occupation and the principal place of business, if any) of the person making such contribution, and the date on which received. All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee.

Recordkeeping.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

- (1) all contributions made to or for such committee;
- (2) the full name and mailing address (occupation and the principal place of business, if any) of every person making a contribution in excess of \$10, and the date and amount thereof;
- (3) all expenditures made by or on behalf of such committee; and
- (4) the full name and mailing address (occupation and the principal place of business, if any) of every person to whom any expenditure is made, the date and amount thereof and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

Receipts, preservation.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of \$100 in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the supervisory officer.

Unauthorized activities, notice.

(e) Any political committee which solicits or receives contributions or makes expenditures on behalf of any candidate that is not authorized in writing by such candidate to do so shall include a notice on the face or front page of all literature and advertisements published in connection with such candidate's campaign by such committee or on its behalf stating that the committee is not authorized by such candidate and that such candidate is not responsible for the activities of such committee.

Funds solicitation, notice.

(f) (1) Any political committee shall include on the face or front page of all literature and advertisements soliciting funds the following notice:

"A copy of our report filed with the appropriate supervisory officer is (or will be) available for purchase from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402."

Annual report.

(2) (A) The supervisory officer shall compile and furnish to the Public Printer, not later than the last day of March of each year, an annual report for each political committee which has filed a report with him under this title during the period from March 10 of the preceding calendar year through January 31 of the year in which such annual report is made available to the Public Printer. Each such annual report shall contain—

- (i) a copy of the statement of organization of the political committee required under section 303, together with any amendments thereto; and
- (ii) a copy of each report filed by such committee under section 304 from March 10 of the preceding year through January 31 of the year in which the annual report is so furnished to the Public Printer.

(B) The Public Printer shall make copies of such annual reports available for sale to the public by the Superintendent of Documents as soon as practicable after they are received from the supervisory officer.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 303. (a) Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall file with the supervisory officer a statement of organization, within ten days after its organization or, if later, ten days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of \$1,000. Each such committee in existence at the date of enactment of this Act shall file a statement of organization with the supervisory officer at such time as he prescribes.

(b) The statement of organization shall include—

- (1) the name and address of the committee;
- (2) the names, addresses, and relationships of affiliated or connected organizations;
- (3) the area, scope, or jurisdiction of the committee;
- (4) the name, address, and position of the custodian of books and accounts;
- (5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;
- (6) the name, address, office sought, and party affiliation of (A) each candidate whom the committee is supporting, and (B) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;
- (7) a statement whether the committee is a continuing one;
- (8) the disposition of residual funds which will be made in the event of dissolution;
- (9) a listing of all banks, safety deposit boxes, or other repositories used;
- (10) a statement of the reports required to be filed by the committee with State or local officers, and, if so, the names, addresses, and positions of such persons; and
- (11) such other information as shall be required by the supervisory officer.

(c) Any change in information previously submitted in a statement of organization shall be reported to the supervisory officer within a ten-day period following the change.

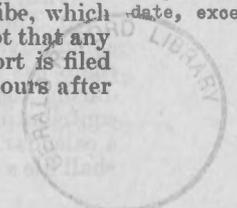
(d) Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall so notify the supervisory officer.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 304. (a) Each treasurer of a political committee supporting a candidate or candidates for election to Federal office, and each candidate for election to such office, shall file with the appropriate supervisory officer reports of receipts and expenditures on forms to be prescribed or approved by him. Such reports shall be filed on the tenth day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the thirty-first day of January. Such reports shall be complete as of such date as the supervisory officer may prescribe, which shall not be less than five days before the date of filing, except that any contribution of \$5,000 or more received after the last report is filed prior to the election shall be reported within forty-eight hours after its receipt.

Receipts and expenditures.

Completion date, exception.



(b) Each report under this section shall disclose—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address (occupation and the principal place of business, if any) of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in an aggregate amount or value in excess of \$100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers;

(5) each loan to or from any person within the calendar year in an aggregate amount or value in excess of \$100, together with the full names and mailing addresses (occupations and the principal places of business, if any) of the lender and endorsers, if any, and the date and amount of such loans;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt in excess of \$100 not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom expenditures have been made by such committee or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in excess of \$100, the amount, date, and purpose of each such expenditure and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made;

(10) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of \$100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the calendar year;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the supervisory officer may prescribe and a continuous reporting of their debts and obligations after the election at such periods as the supervisory officer may require until such debts and obligations are extinguished; and

(13) such other information as shall be required by the supervisory officer.

(c) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or candidate shall file a statement to that effect.

REPORTS BY OTHERS THAN POLITICAL COMMITTEES

SEC. 305. Every person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount in excess of \$100 within a calendar year shall file with the supervisory officer a statement containing the information required by section 304. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 306. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the supervisory officer in a published regulation.

(c) The supervisory officer may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 304 if such committee (1) primarily supports persons seeking State or local office, and does not substantially support candidates, and (2) does not operate in more than one State or on a statewide basis.

(d) The supervisory officer shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

Noncompliance relief.

Debts, pledges, etc., separate schedules.

REPORTS ON CONVENTION FINANCING

SEC. 307. Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President, shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Comptroller General of the United States a full and complete financial statement, in such form and detail as he may prescribe, of the sources from which it derived its funds, and the purposes for which such funds were expended.

DUTIES OF THE SUPERVISORY OFFICER

SEC. 308. (a) It shall be the duty of the supervisory officer—

(1) to develop and furnish to the person required by the provisions of this Act prescribed forms for the making of the reports and statements required to be filed with him under this title;

(2) to prepare, publish, and furnish to the person required to

file such reports and statements a manual setting forth recommended uniform methods of bookkeeping and reporting;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this title;

(4) to make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person: *Provided*, That any information copied from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose;

(5) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the national, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed in excess of \$100;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

(10) to assure wide dissemination of statistics, summaries, and reports prepared under this title;

(11) to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report apparent violations of law to the appropriate law enforcement authorities; and

(13) to prescribe suitable rules and regulations to carry out the provisions of this title.

(b) The supervisory officer shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

(c) It shall be the duty of the Comptroller General to serve as a national clearinghouse for information in respect to the administration of elections. In carrying out his duties under this subsection, the Comptroller General shall enter into contracts for the purpose of conducting independent studies of the administration of elections. Such studies shall include, but shall not be limited to, studies of—

(1) the method of selection of, and the type of duties assigned to, officials and personnel working on boards of elections;

Public inspection.

Preservation.

Annual report.

Information dissemination.

Rules and regulations.

Comptroller General, information and studies.

(2) practices relating to the registration of voters; and

(3) voting and counting methods.

Studies made under this subsection shall be published by the Comptroller General and copies thereof shall be made available to the general public upon the payment of the cost thereof. Nothing in this subsection shall be construed to authorize the Comptroller General to require the inclusion of any comment or recommendation of the Comptroller General in any such study.

(d) (1) Any person who believes a violation of this title has occurred may file a complaint with the supervisory officer. If the supervisory officer determines there is substantial reason to believe such a violation has occurred, he shall expeditiously make an investigation, which shall also include an investigation of reports and statements filed by the complainant if he is a candidate, of the matter complained of. Whenever in the judgment of the supervisory officer, after affording due notice and an opportunity for a hearing, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this title or any regulation or order issued thereunder, the Attorney General on behalf of the United States shall institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the district court of the United States for the district in which the person is found, resides, or transacts business. Upon a proper showing that such person has engaged or is about to engage in such acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court.

(2) In any action brought under paragraph (1) of this subsection, subpoenas for witnesses who are required to attend a United States district court may run into any other district.

(3) Any party aggrieved by an order granted under paragraph (1) of this subsection may, at any time within sixty days after the date of entry thereof, file a petition with the United States court of appeals for the circuit in which such person is found, resides, or transacts business, for judicial review of such order.

(4) The judgment of the court of appeals affirming or setting aside, in whole or in part, any such order of the district court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(5) Any action brought under this subsection shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this subsection).

STATEMENTS FILED WITH STATE OFFICERS

SEC. 309. (a) A copy of each statement required to be filed with a supervisory officer by this title shall be filed with the Secretary of State (or, if there is no office of Secretary of State, the equivalent State officer) of the appropriate State. For purposes of this subsection, the term "appropriate State" means—

(1) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of President or Vice President of the United States, each State in which an expenditure is made by him or on his behalf, and

(2) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of Senator or Representative in,

Publication.

Violation.

Hearing opportunity; injunction.

Judicial review.

62 Stat. 928.

"Appropriate State."

or Delegate or Resident Commissioner to, the Congress of the United States, the State in which he seeks election.

(b) It shall be the duty of the Secretary of State, or the equivalent State officer, under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with him;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

#### PROHIBITION OF CONTRIBUTIONS IN NAME OF ANOTHER

SEC. 310. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

#### PENALTY FOR VIOLATIONS

SEC. 311. (a) Any person who violates any of the provisions of this title shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) In case of any conviction under this title, where the punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only.

### TITLE IV—GENERAL PROVISIONS

#### EXTENSION OF CREDIT BY REGULATED INDUSTRIES

SEC. 401. The Civil Aeronautics Board, the Federal Communications Commission, and the Interstate Commerce Commission shall each promulgate, within ninety days after the date of enactment of this Act, its own regulations with respect to the extension of credit, without security, by any person regulated by such Board or Commission to any candidate for Federal office (as such term is defined in section 301(c) of the Federal Election Campaign Act of 1971), or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election, to such office.

#### PROHIBITION AGAINST USE OF CERTAIN FEDERAL FUNDS FOR ELECTION ACTIVITIES

SEC. 402. No part of any funds appropriated to carry out the Economic Opportunity Act of 1964 shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term "election" has the same meaning given such term by section 301(a) of the Fed-

eral Election Campaign Act of 1971, and the term "Federal office" has the same meaning given such term by section 301(c) of such Act.

"Federal office." Ante, p. 11.

#### EFFECT ON STATE LAW

SEC. 403. (a) Nothing in this Act shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this Act.

(b) Notwithstanding subsection (a), no provision of State law shall be construed to prohibit any person from taking any action authorized by this Act or from making any expenditure (as such term is defined in section 301(f) of this Act) which he could lawfully make under this Act.

#### PARTIAL INVALIDITY

SEC. 404. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

#### REPEALING CLAUSE

SEC. 405. The Federal Corrupt Practices Act, 1925 (2 U.S.C. 241-256), is repealed.

#### EFFECTIVE DATE

SEC. 406. Except as provided for in section 401 of this Act, the provisions of this Act shall become effective on December 31, 1971, or sixty days after the date of enactment of this Act, whichever is later.

Approved February 7, 1972.

43 Stat. 1070.

#### LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 92-564 accompanying H.R. 11060 (Comm. on House Administration) and No. 92-752 (Comm. of Conference).

SENATE REPORTS: No. 92-96 (Comm. on Commerce), No. 92-229 (Comm. on Rules and Administration) and No. 92-580 (Comm. of Conference).

#### CONGRESSIONAL RECORD:

Vol. 117 (1971): July 21, 23, Aug. 2-5, considered and passed Senate, Nov. 18, 29, 30, considered and passed House, amended, in lieu of H.R. 11060.

Dec. 14, Senate agreed to conference report.

Vol. 118 (1972): Jan. 19, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 8, No. 7: Feb. 7, Presidential statement.



State officer, duties.

Ante, p. 11.

78 Stat. 508.  
42 USC 2701  
note.

"Election."

SENSE OF THE HOUSE OF REPRESENTATIVES WITH  
RESPECT TO ACTIONS BY MEMBERS CONVICTED OF  
CERTAIN CRIMES

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MAY 3, 1972.—Referred to the House Calendar and ordered to be printed

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Mr. PRICE of Illinois, from the Committee on Standards of Official  
Conduct, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H. Res. 933]

The Committee on Standards of Official Conduct, to whom was referred the resolution (H. Res. 933) expressing the sense of the House of Representatives with respect to actions which should be taken by Members of the House upon being convicted of certain crimes, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the resolution do pass.

PURPOSE OF THE RESOLUTION

The purpose of the proposed resolution is to express the sense of the House with respect to actions which it feels Members, who are convicted of certain serious crimes, should take during the period of any appeals process when there is no presumption of innocence.

The committee recommends that during such a period such a Member should refrain from committee activities and from voting on the floor of the House.

The proposed resolution has two positive objectives: (1) to state a specific policy so that all concerned may be on notice, and (2) to assert publicly a concern for the reputations of the individual Members and of the House itself.

BACKGROUND

The Committee on Standards of Official Conduct was established by House Resolution 418, 90th Congress, first session, on April 13, 1967,

and therein was instructed to report to the House its recommendations for changes in laws, rules, and regulations that would effectively establish and maintain standards of official conduct for Members, officers, and employees of the House of Representatives. In response to this assignment, a year later, the committee reported its recommendations, which were adopted by the House by a vote of 406 to 1.

During that organizational year, the committee spent countless hours discussing what the committee's powers should be and also what limitations should be placed on the committee's powers.

Clearly, the assignment to establish a potential disciplinary instrument that might preempt, or share, or be paramount to the already existing disciplines of statutory law and the ballot box was indeed sensitive. The question was not only what actions were appropriate for the committee to recommend but also when those actions should be taken.

To the question of what actions the committee might take, the House gave the committee broad powers of investigation but limited its disciplinary powers to recommendations to the full membership.

To the question of when to act, the committee adopted a policy which essentially is: where an allegation is that one has abused his direct representational or legislative position—or his "official conduct"—the committee concerns itself forthwith, because there is no other immediate avenue of remedy. But where an allegation involves a possible violation of statutory law, and the committee is assured that the charges are known to and are being expeditiously acted upon by the appropriate authorities, the policy has been to defer action until the judicial proceedings have run their course. This is not to say the committee abandons concern in statutory matters—rather, it feels it normally should not undertake duplicative investigations pending judicial resolution of such cases.

The implementation of this policy has shown, through experience, only one need for revision. For the House to withhold any action whatever until ultimate disposition of a judicial proceeding, could mean, in effect, the barring of any legislative branch action, since the appeals processes often do, or can be made to, extend over a period greater than the 2-year term of the Member.

Since Members of Congress are not subject to recall and in the absence of any other means of dealing with such cases short of reprimand, or censure, or expulsion (which would be totally inappropriate until final judicial resolution of the case), public opinion could well interpret inaction as indifference on the part of the House.

The committee recognizes a very distinguishable link in the chain of due process—that is the point at which the defendant no longer has claim to the presumption of innocence. This point is reached in a criminal prosecution upon conviction by judge or jury. It is to this condition and only to this condition that the proposed resolution reaches.

The committee reasons that the preservation of public confidence in the legislative process demands that notice be taken of situations of this type.

#### COMMENT ON TERMS USED IN THE RESOLUTION

##### *Sense of the House*

A "sense-of-the-House" resolution amounts to a policy declaration by the House for the Congress in which it is passed. Like any other internal House action it is subject to repeal or change at any time. It is not incorporated into the permanent Rules of the House nor does it have any specific weight of law. However, to act contrary to it would violate an expressed position of the body and would not affect any other authority of the House with respect to the behavior and conduct of its Members.

##### *Convicted*

This condition obtains upon certification by the court of a finding of guilty by a judge or jury. Though sentencing may occur somewhat later it is at the point of conviction that the defendant loses his presumption of innocence.

##### *Court of record*

The committee feels that the purposes of the resolution would not be served if the convictions that would bring the resolution into effect were limited to any particular jurisdiction. Thus any court of record which is empowered to hear cases on charges carrying penalties of 2 or more years' imprisonment, would be of sufficient stature and jurisdiction for the House to recognize as appropriate.

##### *Sentence of 2 or more years*

Though the committee appreciates that the particular length of imprisonment is somewhat arbitrary, a possible sentence of two years or more is equal to or longer than that which constitutes a felony in most jurisdictions. However, whether the crime is a felony or not, the committee reasons that if the offense is regarded by the legislative body that enacted the law as serious enough to warrant as much as two years' imprisonment, it is likewise serious enough to warrant recognition by the House for the purposes of this resolution.

##### *Refrain from participation in committee business*

The committee in making this recommendation regards this term as encompassing active participation such as functioning as chairman of a committee or of a subcommittee, or voting in the full committee or a subcommittee. The committee does not feel this recommendation covers attendance at sessions or communication with constituents regarding matters before committees. The companion recommendation regarding voting on the floor of the House is self-explanatory.

##### *Proceedings resulting in reinstatement of presumption of innocence*

Any effect of this resolution would be reversed upon such reinstatement. As stated earlier the resolution is purposely drawn for automatic restoration of full privileges to a Member who has responded to it, upon any of numerous actions which result in the reinstatement. Without such a provision and assuming the case was subsequently remanded or reversed, the House could find itself in the extremely untenable position of having punished a Member, at least to some degree,

for an act which legally did not occur. With this provision the resolution would fully remove any implication of restraint on the Member concerned.

*Reelected to the House after the date of such conviction*

The same restoration that would follow the reinstatement of the presumption of innocence is provided for under the above captioned contingency. Precedents, without known exception, hold that the House will not act in any way against a Member for any actions of which his electorate had full knowledge at the time of his election. The committee feels that these precedents are proper and should in no way be altered.

*Not affect any other authority of the House*

As stated in the comment on "sense-of-the-House," this resolution has no specific enforcement capability. However, any Member subject to its provisions at the time of the resolution's adoption, or thereafter, who violates the clear principles it expresses, will do so at the risk of subjecting himself to the introduction of a privileged resolution relating to his conduct, in accordance with other provisions of House rules.

CONCLUSION

This committee is mindful that the recommendations it makes herein are largely unique among the traditional customs and practices of the House. It fully appreciates that any suggestion of restraint against the maximum freedom of Members to represent their constituencies would contain some element of hazard to the basic legislative process, but against this risk it felt that a policy of total inaction, which could be interpreted as indifference, more than balances the scale in favor of the proposed resolution. The committee recommends its adoption by the House.

COMMITTEE ACTION

Pursuant to rule XI, clause 27(b), the committee announces that House Resolution 933 was ordered to be reported by a vote of 10 to 2.

DISSENTING VIEWS OF CONGRESSMAN OLIN E. TEAGUE  
AND CONGRESSMAN WATKINS M. ABBITT

The power and influence of the office of a Congressman stems from two sources: from the people of his district solely as the result of their choosing him to represent them and from the body itself and its institutions. The power to vote and the concomitant power to represent the district by voting arises from the former source and from that alone.

But one may earn, or may have bestowed upon him, additional power and influence. This derives from the body itself and its institutions. Thus, he may be a member of a committee or several committees, the chairman of a committee, or of a subcommittee, or may hold office in his party's caucus. Since this additional "clout" is bestowed upon him by the body itself or its institutions, it may be taken away by the bestowing authority.

But the House has no authority to tamper with those attributes of power and influence of a Congressman which flow directly from his election and which he enjoys solely by virtue of his election. No one with the least familiarity with our institutions would for a moment argue that we could deprive a Member of our body of the right to vote—at least without following the process sanctioned by the Constitution to expel a Member of a two-thirds vote.

But it will be argued that this recommended resolution only admonishes a Member who has been found guilty by a jury and convicted by a court not to exercise the right to vote pending a determination on appeal upsetting the conviction. Such an argument overlooks the basic reasoning behind the proposition that power and influence flowing from the electorate may not be taken away—and, I think, not tampered with—by the House and its institutions. The right involved here is more than the right of a Congressman. It is the right of the people of his district to enjoy equal protection of the law. Such right rests on the clear implications of Article I of the Constitution. The seminal concept of republican government is that representatives of divisions of people are to balance and reconcile viewpoints and to come to conclusions based on votes in which they each have a right to a vote counted equally with the votes of all others.

Is it conceivable that the House could constitutionally direct that one's voting potential be increased, say, by 1 percent for each year of one's service? If it is not, it is also not admissible to say that the body can dilute a Member's vote by making it count less. Is it not even more inadmissible to place pressures upon him not to vote at all? That he may not succumb to such pressures is irrelevant. The House has no right to apply them. And it cannot be said that such pressures, when applied, are impotent. They are applied by an institution which has the undeniable constitutional right to expel a Member upon a two-thirds vote. Expulsion would result in the loss of the Member's salary and good name.

Furthermore, the very fact that the Constitution gives the House a way to cause one of its Members to lose his vote implies that no other way is available. Otherwise the House by simple majority could impose de facto expulsion by simply stripping the Member of his perquisites of power and thus leave, as the representative of the district, an impotent figurehead. The Constitution clearly did not intend this. Such an intent would permit such an emasculated representative to play the dog in the manger, blocking other representation while drawing his pay. He dare not violate the House admonition lest he lose such preferred position. Meanwhile, the people of the district are denied representation by the representative that they would select after his expulsion. (They have the right, of course, to in effect reverse the House's expulsion order by reelecting the expelled Member.) This has happened.

By criticizing the committee's recommendation, and by dissenting from it, I do not mean to be understood as failing to recognize the dilemma of my colleagues when they were faced with the problem involved here. The committee found itself called upon to take action against Representative John Dowdy based upon the verdict of a jury

and the judgment of the court, which judgment has not become final because of the pendency of an appeal.

The committee could not judiciously recommend the final and irrevocable act of expulsion solely upon the basis of Court action which had not become final. If it had done so, there would remain the possibility of an ultimate reversal and dismissal of the criminal charge, in which event Representative Dowdy would have been expelled by the House upon the basis of a decision resting upon a faulty process. He would not then have been given the benefit of the presumption of innocence. Therefore, the committee decided upon this tentative action. Representative Dowdy was to be held in a state of limbo until such time as his appeal was acted upon.

But merely to state the dilemma illustrates the basic flaw in the committee's resolution of it. The House, as we have seen, is limited by the Constitution in any matter which involves a Member's right to vote. If expulsion upon the basis of incomplete judicial determination of guilt is improper, and if expulsion is the only way the Member's vote may be affected, then the action here is wrong.

Indeed, even were it not for such constitutional limitation, the action taken here would still be improvident and indefensible on the basis of all Anglo-American concepts of due process.

OLIN TEAGUE.  
W. M. ABBITT.



1972 - FEDERAL ELECTION CAMPAIGN LAW

2 USC 431-454 (repealing 2 USC 241-256)  
Effective April 8, 1972

A. COVERAGE CHANGES:

1. Expansion. Now covers primaries, nominating conventions, preference primaries, as well as general elections for Federal Office (including House of Representatives).

2. Political Committee. Abolition of the D. D. Committee loophole. Political Committee is now defined as any organization accepting contributions or making expenditures in an aggregate sum exceeding \$1,000 per year.

3. (a) Expenditures and contributions are defined so as to clearly refer to the electoral process (i.e. no office operating accounts).

(b) There is a contribution exclusion which provides that person volunteering their time are not to be construed as contributions.

B. RECORDS TO BE KEPT:

1. Any person receiving more than \$10 for a political committee shall report same to committee treasurer within 5 days -- including contributor's name, address and date.

2. Committee Treasurer. Records must reflect:

(a) All contributions.

(b) Name and address of all persons contributing over \$10 and date of contributions. *Also occupation & place of business*

(c) All expenditures made, names, and addresses and dates of those receiving the expenditures.

(d) Received bills and copies of over \$100 expenditures.

C. REGISTRATION:

To be done within 10 days of formation -- shall file with the Clerk of the House.

D. REPORTS BY CANDIDATES OR POLITICAL COMMITTEES:

1. Filings on the 10th day of March, June, and September of each year, by the 31st of January and 15 and 5 days "next preceding the date on which an election is held." Any contributions over 5,000 occurring after last filing to be reported within 48 hours of the election.

2. Report shall disclose:

(a) Cash on hand at beginning of the period.

(b) Name, addresses and dates and occupation of all persons contributing in aggregate sum in excess of \$100 for the year.

(c) Total sum of all contributions.

(d) Name and address of any political committee or candidate to which the committee transferred funds or received funds from -- date of all transfers.

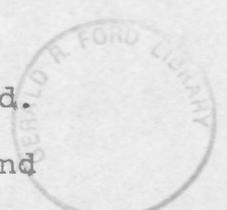
(e) Loans to or from any person in aggregate of more than \$100 during the year.

(f) Total amount of proceeds from sales of dinner, luncheon, rally tickets, and balloons, pennants, etc.

(g) Any other transaction in excess of \$100.

(h) Total sum of all receipts during the period.

(i) Name, address, occupation, dates, amount and



purpose of all expenditures over \$100 including personal services.

(j) Amount and nature of debts owed to or by the committee.

(k) Reports to be cumulative.

E. SECTION 305 (2 USC 435):

Reports of contributions made by persons to other than political committee or candidate are to be filed by the contributor.



1970 - FEDERAL CORRUPT PRACTICES ACT  
2 U.S.C. (241-256) Outline

Section 241: A. Coverage. (1) The act covers "elections" defined as general or special elections, but specifically excludes primary elections and political conventions.

(2) Political Committee - any organization, association, etc., that either accepts contributions, or makes expenditures on behalf of candidates for office providing, that the organization is attempting to exercise its influence in at least two states or if it is in only one state and is a subsidiary of national political organization.

*State so defined as to  
exclude the Dist. of Columbia*

B. Political Committee Duties (§242): Each committee must have a Chairman and a Treasurer, the committee being forbidden to act until such positions have been filled.

(1) Treasurer's Duties: Treasurer is to keep an exact account of :

a. All contributions, including name and address of contributor and date of contribution.

b. All expenditures made by or on behalf of the committee including names and addresses and dates of all persons receiving expenditures. All expenditures in excess of \$10 require the obtaining and keeping of a receipted bill.

C. Contribution Accounts (§243): All persons (persons also includes organizations, etc., and is not limited to individuals) who receive contributions for a political committee must account for them to the committee treasurer within 5 days, including names, addresses and dates.

D. Required Statements Filed by Treasurer with Clerk of House of Representatives:

(1) Frequency: Between 1st and 10th days of March, June, September, and January 1st. Statements to be cumulative, January 1 statement to cover preceding year (uncharged items may be carried forward). Also, where candidates are being supported in at least two states, filings required between "15th and 10th days and 5th day next preceding" a general election.

(2) Contents:

- a. Name and address of each contributor of at least \$100 (aggregate) during the calendar year and contribution dates.
- b. Sum total of all contributions not individually itemized (i.e. less than \$100).
- c. Total sum of contributions for the year.
- d. Name and address of each person who received an expenditure over \$10 during the year, including, date, amount and purpose of expenditure.
- e. Total expenditures not covered by (d).
- f. Total sum of expenditures for the year.

E. Non-Committee Statements: Anyone expending \$50 or more for a political committee shall file a statement with the Clerk reflecting same type of information as "D" above.

F. Statements Filed By Candidates (§246): (1) Frequency. 10 - 15 days before and within 30 days after a general election the candidate must file a statement with the Clerk of the House. Statements to be cumulative, with uncharged

items carried forward.

(2) Requirements:

a. A correct and itemized account of each contribution received by him or by any person with his knowledge, from any source, in support or aid of his candidacy, together with the name of the person who made the contribution.

b. A correct and itemized account of each expenditure made by him or with his knowledge in support of his candidacy. Names of persons and dates are required if the expenditure is one for computing campaign expenditure totals (infra), otherwise only total sum figures need be reported.

c. A candidate is required to report every promise of appint or recommendation for appointment made to procure supprt to whom made, addresses, dates. If no such promises made, this is to be stated.

d. The first statement shall include a total number of votes cast for all candidates in the last election based upon official state records (for purposes of computing expenditure ceiling).

G. Miscellaneous Requirements (§247):

a. All statements filed by either the committee treasurer, candidate, or third party must be verified by oath or affirmation.

b. Filing -must be deposited in mailbox, postage paid postmailed by deadline date.

H. Spending Limitations (§248): A candidate shall make



a maximum of \$5,000 in expenditures for a House race. Computed on a basis of three cents per vote cast in previous election. Optional method limited to \$2500.

In computing expenditures, money expended by a candidate, the following are not included:

1. State filing and assessment fees
2. Necessary personal travel and subsistence expense
3. Stationery, postage,
4. Writing or printing (other than billboard or newspaper ads)
5. Distribution costs for circulars, letters & posters
6. Telephone service.

I. Prohibited Promises (§249): Candidate is prohibited from making promises of appointments for the purpose of securing funds.

J. \$250 makes vote buying illegal.

K. Prohibited Contributors (§251): Contributions from any National Bank or corporation organized by authority of any law of Congress are prohibited. \$5,000 fine for violation (to corporation and/or corporate officers).

L. General Penalties for Violations (§252):

1. Violation is worth \$1,000 or 1 year or both
2. Willful violation is \$10,000 or 2 years or both.

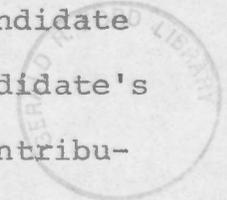


1970

ELECTIONS

CRIMINAL SANCTIONS: 18 USC

- §592, §593, §594, §596 Not applicable.
- §595 - Prohibits interference in elections by Federal Employees.
- §597 - Prohibits vote buying
- §598 - Coercion by means of relief appropriations - N.A.
- §599 - Prohibits promise of appointment by candidate as means of securing support. 1,000 or 1 year or 10,000 - 2 years if willful
- §600 - Promise of employment or other benefit prohibited - 1,000 or 1 year
- §601 - Prohibits deprivation of employment (or threat of) provided for or made possible by Act of Congress - 1,000 or 1 year
- §602 - Prohibits Congressman or candidate for Congress from soliciting from Federal Employees. \$5,000 or 3 years
- §603 - Soliciting (§602) in federal offices 5,000 or 3 years
- §604 - Solicitations from persons on Relief 1,000 or 1 year
- §605 - Prohibits disclosure of names of persons on relief for political purposes 1,000 or 1 year
- §606 - Intimidation to secure political contributions (§602) - 5,000 or 3 years
- §607 - Prohibits government employee making contribution for promotion - \$5,000 or 3 years
- §608 - Limitations on Political Contributions and Purchases.
- a. Over 5,000 during any calendar year to candidate for Federal office or to committee or candidate's or party's behalf -- does not apply to contribu-



tions to State or local committee or D.C.  
Committee.

- b. Purchases of goods, advertising, etc., the proceeds of which will benefit candidate is prohibited -- excludes regular known trade or profession of candidate.

§609 - Maximum contributions to and expenditures by Committee not to exceed 300,000 in any one year. 1,000 or 1 year. Willful violation 10,000 - 2 years

§610 - Prohibits contributions from national banks, corporations authorized by any law of Congress or or organizations. 1,000 - 1 year. Willful 10,000 - 2 years

§611 - Government contractors prohibited from contributing - 5,000 or 5 years

§612 - We know about.



**Extra Carbon Copy for the "PENDING" File**

**To Stenographer:**

Hand this copy to Mr. .... on .....

March 10, 1972

**The Committee to Re-Elect Jerry Ford  
P. O. Box 2014  
Washington, D.C. 20013**

**Gentlemen:**

Thank you very much for the account opened on our books entitled **The Committee to Re-Elect Jerry Ford**, with an initial deposit of \$1,000.00. The number assigned to the account is 15 08 152 906 and should appear on all deposits and checks.

It is our understanding from your Unincorporated Association Resolution for Bank Accounts dated March 7, 1972, that we are authorized to honor checks for the withdrawal of funds on this account when signed by either of the following:

**Charles T. March  
James G. Morton**

**Chairman  
Secretary-Treasurer**

Imprinted checks and deposit tickets have been ordered and will be mailed directly to you when completed.

We appreciate very much this new account relationship and look forward to being of service to you.

Sincerely yours,

  
**W. Dewey Cooper  
Assistant Vice President  
Assistant Manager**

/s/ **cc: Bookkeeping Department  
Business Development  
Authorization File**



UNINCORPORATED ASSOCIATION

RESOLUTION FOR BANK ACCOUNTS

I, James G. Morton /Treasurer, Secretary of The Committee to Re-Elect exact name of association Jerry Ford

an association organized and existing in the State of Wash., D. C., do hereby certify to The Riggs National Bank of Washington, D. C., that the following is a true copy of a resolution duly adopted, in accordance with the By-Laws, by the \_\_\_\_\_ of the said association at a meeting held \_\_\_\_\_, 19\_\_\_\_, and that the said resolution is in full force and effect as of this date, has not been modified and is not inconsistent with any of the provisions of the By-Laws or the Charter of the said association

"RESOLVED, That The Riggs National Bank of Washington, D. C., is hereby designated a depository for the funds of this association and the said bank is hereby authorized and directed to pay checks and other orders for the payment of money drawn in the name of this association when signed by:

Charles T. Marck, Chairman

and/or

James G. Morton, Secretary-Treasurer

(Note: It is suggested that titles be used rather than names.)

and the said bank shall not be required, in any case, to make inquiry respecting the applications of any instrument executed in virtue of this resolution; or of the proceeds therefrom, nor be under any obligation to see to the application of such instrument or proceeds."

I FURTHER CERTIFY that the following now occupy the respective offices designated in this resolution herein quoted and are duly qualified:

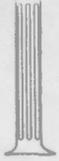
<u>NAMES</u>	<u>TITLES OF OFFICES HELD</u>
<u>Charles T. Marck</u>	<u>Chairman</u>
<u>James G. Morton</u>	<u>Secretary-Treasurer</u>

IN WITNESS WHEREOF, I have affixed my official signature this 7th day of March, 1972.

ATTEST: Marilyn Gross

James G. Morton Secretary/Treasurer  
Charles T. Marck President/Chairman





# INSIGHT, INC.

ADVERTISING AND PUBLIC RELATIONS  
400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-9434.

November 6, 1972

Friends for Ford Committee  
Attn: Mr. Joel Soule, Treasurer  
865 Union Bank Building  
Grand Rapids, Mi. 49502

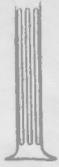
The following is a statement of services and charges to your account during Oct.-Nov., 1972

DESCRIPTION	CHARGES	PREVIOUS BALANCE	
		PAYMENTS AND/OR CREDITS	NEW BALANCE
<p>This is a complete billing of 1972 campaign charges to date. Final reconciliation of all supplier statements is not yet possible. However, it is believed that any further credits and/or debits will be relatively minor.</p>			
<p>COLLATERAL PRODUCTION, 1972 GERALD R. FORD CAMPAIGN</p>			
<p>BUMPER STICKERS (Job #1328)</p>			
Project planning & administration	No Chg		
Art direction, paste-up, production supervision	35.00		
Photostats	29.97		
Printing, 10M bumper stickers	823.75		
<p>CAMPAIGN BUTTONS (Job #1329)</p>			
Project planning, creative research & administration	32.50		
Layout, art direction, production supervision	52.50		
Printing & manufacture, 15M buttons	278.53		
<p>LITTERBAGS (Job #1331)</p>			
Project administration & production supervision	No Chg		
Printing & manufacture, 6M bags	275.25		

(MORE)

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# INSIGHT, INC.

ADVERTISING AND PUBLIC RELATIONS  
400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-8434.

STATEMENT

Friends for Ford Committee

Oct.-Nov., 1972

Page 2 (Continued)

The following is a statement of services and charges to your account during \_\_\_\_\_

DESCRIPTION	CHARGES	PREVIOUS BALANCE	NEW BALANCE
		PAYMENTS AND/OR CREDITS	
<b>CAMPAIGN POSTERS (Job #1332)</b>			
Project planning & administration	22.50		
Layouts, art direction, paste-up, production supervision, type, negatives & stats including photo enlargement, plates, printing & mounting of 150 posters (3 different styles)	739.01		
<b>LETTERHEAD &amp; ENVELOPES (Job #1381)</b>			
Layout, paste-up, production supervision	57.00		
Type, photostats, offset negs	83.70		
Printing	123.57		
<b>FORD CORPS MEMBERSHIP CARDS</b>			
Copy, layout, paste-up & production supervision	37.25		
Offset negatives & 2-color printing of 5M cards	107.15		
<b>ISSUE LEAFLETS, 8 Different on following subjects: Quality education, Non-Public schooling, Tax relief, Welfare reform, Economy, Peace &amp; security, Environment, Senior citizens</b>			
Project planning & administration, research, copy writing & secretarial	495.00		



(MORE)

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# INSIGHT, INC.

ADVERTISING AND PUBLIC RELATIONS  
400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-9434.

Friends for Ford Committee

Oct.-Nov., 1972

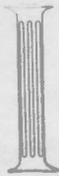
Page 3 (Continued)

The following is a statement of services and charges to your account during \_\_\_\_\_

DESCRIPTION	CHARGES	PREVIOUS BALANCE	NEW BALANCE
		PAYMENTS AND/OR CREDITS	
Layouts, art direction, still photography, graphics, paste-up & production supervision	606.00		
Type - headlines & body copy - and photo processing	1,609.62		
Printing - 62 1/2 M 2-color leaflets	3,058.90		
Printing - 7 1/2 M 1-color Peace & security broadsides for special mailing	110.12		
<u>GRAND TOTAL</u>			<u>\$ 8,647.32</u>

*\$16,586.20*  
*# 250*  
*11/27/72*  
 GRAND RAPIDS LIBRARY

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# INSIGHT, INC.

ADVERTISING AND PUBLIC RELATIONS  
400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-8434.

Jeff Davis

STATEMENT

November 6, 1972

456-476

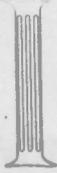
Ford for Congress Committee  
Attn: Mr. Britton L. Gordon, Treasurer  
c/o Dover, 3rd Floor  
2627 East Beltline, SE  
Grand Rapids, Mi. 49506

The following is a statement of services and charges to your account during Oct.-Nov., 1972

DESCRIPTION	CHARGES	PREVIOUS BALANCE	NEW BALANCE
		PAYMENTS AND/OR CREDITS	
<p>This is a complete billing of 1972 campaign charges to date, including corrections to media charges as pre-billed earlier, plus production costs. Final reconciliation of all media and supplier statements is not yet possible. However, it is believed that further credits and/or debits will be relatively minor.</p>			
<u>BROADCAST</u>			
TELEVISION TIME			
WKZO-TV, Kalamazoo	\$1,720.00	\$1,137.00	\$ +583.00
WOTV, Grand Rapids	3,900.00	4,805.00	-905.00
WZZM-TV, Grand Rapids	<u>2,058.00</u>	<u>2,040.00</u>	+ 18.00
TELEVISION PRODUCTION			
Project planning, research & administration	180.00		
Media budgeting & scheduling	No Chg		
Copy writing - four 5-minute programs & one :10 ID (16¼ hrs)	487.50		
Photography - slides & motion picture, including film editing (21½ hrs)	645.00		
Photographic processing - stills, 35 mm. & 16 mm.	243.31		
Graphics - Art direction, finished art on dropcards, paste-up, slogan type, photostat, 5 overlays	222.07		



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## INSIGHT, INC.

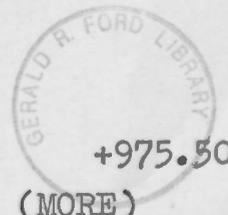
ADVERTISING AND PUBLIC RELATIONS

400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-9434.

Ford for Congress Committee  
 Oct-Nov, 1972, Complete Billing  
 Page 2 (Continued)

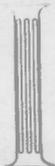
The following is a statement of services and charges to your account during \_\_\_\_\_

DESCRIPTION	CHARGES	PREVIOUS BALANCE	NEW BALANCE
		PAYMENTS AND/OR CREDITS	
Talent, audiotaping and audio supervision - four programs and one ID (Including transportation expenses to Chicago)	980.33		
Videotaping and VTR supervision, all television	<u>700.40</u>		+3,458.61
<b>RADIO TIME</b>			
WGRD-AM, Grand Rapids	480.00	480.00	--
WLAV-AM, " "	957.00	969.00	-12.00
WOOD-AM, " "	918.00	918.00	--
WOOD-FM, " "	432.00	432.00	--
WJEF-AM, " "	500.00	500.00	--
WFUR-AM, " "	360.00	396.00	-36.00
WJPW-AM, Rockford	234.00	260.00	-26.00
WMAX-AM, Grand Rapids	240.00	240.00	--
WYON-AM/FM, Ionia	169.60	169.60	--
WZZM-FM, Grand Rapids	<u>182.40</u>	<u>182.40</u>	--
<b>RADIO PRODUCTION</b>			
Project planning, research & administration	90.00		
Budgeting & scheduling	No Chg		
Copy writing, 7 announcements (7 7/12 hours)	227.50		
Talent (7 single-voice & 1 2-voice annct) and audiotaping, audio supervision, engineering & 11 tape dubs (including transportation expenses to Chicago)	<u>658.00</u>		+975.50



(MORE)

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# INSIGHT, INC.

ADVERTISING AND PUBLIC RELATIONS  
400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-9434.

Ford for Congress Committee  
Oct-Nov, 1972, Complete Billing

Page 3 (Continued)

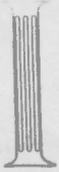
The following is a statement of services and charges to your account during \_\_\_\_\_

DESCRIPTION	CHARGES	PREVIOUS BALANCE	NEW BALANCE
		PAYMENTS AND/OR CREDITS	
<u>PRINT</u>			
NEWSPAPER SPACE			
The Almanac (all editions)	470.40	428.40	42.00
Ionia County News	69.00	69.00	—
Ionia Sentinel-Standard	252.00	252.00	—
Belding Banner News	138.00	138.00	—
Saranac Advertiser	154.80	154.80	—
Portland Review & Observer	198.00	198.00	—
Lake Odessa Wave	138.00	138.00	—
Rockford Register	237.60	237.60	—
Cedar Springs Clipper	192.60	192.60	—
Lowell Ledger/Suburban Life	211.20	211.20	—
South Kent News/Wyoming Advocate	247.20	247.20	—
West Michigan Catholic	423.60	423.60	—
Sparta Reminder-Sentinel	494.40	494.40	—
Kent County Farm Bureau News	88.20	88.20	—
Grand Rapids News	123.60	123.60	—
Grand Rapids Times	583.20	583.20	—
The Interpreter	684.00	684.00	—
Grand Rapids Press	1,839.60	1,839.60	—
Middleville Sun/Caledonia News	138.00	138.00	—
Greenville News	403.20	403.20	—
Glory magazine	190.59	190.59	—
G.R. Jr. College Collegiate	<u>141.18</u>	<u>—</u>	141.18
NEWSPAPER PRODUCTION			
Project planning & administration	155.00		
Budgeting & scheduling	No Chg		
Copy research & writing (6½ hrs)	165.00		
Layout, art direction, paste-up, production supervision	461.75		



(MORE)

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## INSIGHT, INC.

ADVERTISING AND PUBLIC RELATIONS  
400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-9434.

Ford for Congress Committee  
Oct-Nov, 1972, Complete Billing  
Page 4 (Continued)

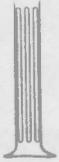
The following is a statement of services and charges to your account during \_\_\_\_\_

DESCRIPTION	CHARGES	PREVIOUS BALANCE	NEW BALANCE
		PAYMENTS AND/OR CREDITS	
Photography, photo processing, photostats	200.59		
Type - headlines & body - for five regular newspaper ads, one magazine ad, one special newsp ad	659.92		
Zinc combinations & etchings, offset negatives, mats & proofs	<u>1,127.53</u>		+2,769.79
BILLBOARD SPACE			
Naegele Advertising	<u>3,000.00</u>	<u>3,000.00</u>	—
BILLBOARD PRODUCTION			
Project planning & administration	72.50		
Budgeting & scheduling	No Chg		
Layout, production supervision, paste-up	92.00		
Photography, including retouching	<u>118.35</u>		+282.85
Printing, Ft. Wayne Poster Co.	<u>2,232.00</u>	<u>2,232.00</u>	--
MISCELLANEOUS			
Press relations - release on HQ opening; typing & distribution of speech excerpts to media	No Chg		
Decor, headquarters & bus - Planning & administration	60.00		
Layouts, art direction, pro- duction supervision	105.00		
Mounting photo enlargements, Int.	34.36		
Exterior sign construction & painting, including type	329.13		

(MORE)

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# INSIGHT, INC.

ADVERTISING AND PUBLIC RELATIONS  
400 PEOPLES BLDG. GRAND RAPIDS, MICHIGAN, 49502, PHONE 454-9434.

Ford for Congress Committee  
Oct-Nov, 1972, Complete Billing  
Page 5 (Continued)

The following is a statement of services and charges to your account during \_\_\_\_\_

DESCRIPTION	CHARGES	PREVIOUS BALANCE	NEW BALANCE
		PAYMENTS AND/OR CREDITS	
Slide production for Republican National Convention & general use Project planning & administra. Photography (incl. Ionia trip) Film stock & processing	18.75 75.00 <u>24.75</u>		+646.99
Recording endorsement for Dan Hess.	No Chg		
(The estimated value of services for hours contributed by agency personnel above those billed herein (and not covered by ordinary commissions) totals \$5,720. Included in this category are pre-campaign research, meetings and consultation with the campaign committee and staff, certain copy writing and press release preparation, non-charged art direction and production services, and media publicity arrangements.)	No Chg		
<b>GRAND TOTAL &amp; FINAL BALANCE</b> (Please pay amount in last column)	<u>\$32,935.11</u>	<u>-\$24,996.19</u>	<u>\$7,938.92</u>



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**W. Pat Jennings**  
Clerk

Office of the Clerk  
**U. S. House of Representatives**  
Washington, D.C. 20515

July 20, 1973

TO: CANDIDATES FOR THE U. S. HOUSE OF REPRESENTATIVES AND POLITICAL  
COMMITTEES AND OTHER PERSONS SUPPORTING SUCH CANDIDATES

FROM: W. PAT JENNINGS, CLERK OF THE HOUSE

SUBJECT: DISCLOSURE OF EARMARKED CONTRIBUTIONS AND EXPENDITURES

Supplement No. 1 to the Manual of Regulations and Accounting Instructions relating to disclosure of Federal Campaign funds for candidates for the U. S. House of Representatives and political committees and other persons supporting such candidates under the Federal Election Campaign Act of 1971, that covers the disclosure and reporting of earmarked contributions and expenditures, is attached as enclosure (1).

Additionally, three separate examples (each with its own attachments) of reporting receipt and expenditure of earmarked funds are provided to illustrate such disclosure procedures as enclosure (2).

  
W. PAT JENNINGS, Clerk  
U. S. House of Representatives

Enclosures



Office of the Clerk  
U.S. House of Representatives  
Washington, D.C. 20515

Supplement No. 1 to the  
MANUAL OF REGULATIONS AND ACCOUNTING INSTRUCTIONS

RELATING TO FEDERAL CAMPAIGN FUNDS FOR CANDIDATES FOR THE  
U. S. HOUSE OF REPRESENTATIVES AND POLITICAL COMMITTEES AND OTHER PERSONS  
SUPPORTING SUCH CANDIDATES UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971

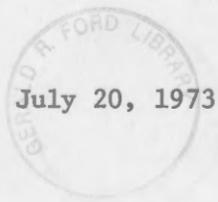
Disclosure of Earmarked Contributions and Expenditures

Each candidate, political committee, and other person required to file reports under the Act who receives an earmarked contribution or makes an earmarked expenditure (including any transfer of funds) that is subject to the reporting requirements of the Act and these Regulations shall report the full name and mailing address, occupation and principal place of business, if any, of the donor or any other person who originally earmarked the contribution or expenditure; the name and address of each political committee or the name, Congressional District, and State of each candidate for whom the contribution or expenditure is earmarked; and the amount of such contribution or expenditure earmarked for each such candidate or political committee and the aggregate amount earmarked for each during the calendar year.

The reporting required by this regulation shall be in addition to all other reporting of such contribution or expenditure required by the Act and these Regulations; shall be performed by all candidates, political committees and other persons receiving, expending, or transferring earmarked funds; and shall be reported together with all other required information on the appropriate Schedules A-D supplementing H. R. Election Forms 2 or 3.

DEFINITION: (To be alphabetically inserted among other definitions in the Manual of Regulations and Accounting Instructions issued by the Clerk of the House.)

"Earmark," "Earmarked," and "Earmarking" include all and any designations, instructions, or encumbrances (including but not limited to those which are direct or indirect, express or implied, oral or written) which cause or result in all or any portion of a contribution or expenditure being made to or expended for the benefit of a specific candidate or political committee.



Enclosure (1)  
PAGE 2

Office of the Clerk  
U.S. House of Representatives  
Washington, D.C. 20515

EXAMPLE ONE WITH THREE ATTACHMENTS

THIS EXAMPLE OF EARMARKING ILLUSTRATES THE RECEIPT AND AGGREGATION OF EARMARKED FUNDS BY A POLITICAL COMMITTEE AND THE TRANSFER OF THOSE EARMARKED FUNDS TO A CANDIDATE'S POLITICAL COMMITTEE.

On June 11, 1973 William P. Anderson, 1500 South Brookline Drive, New York, New York, 10001, a stockbroker in New York City, contributed \$1,000.00 to the New Yorkers for Good Government (a political committee), 2 Grant Avenue, New York, New York, 10001. Of the \$1,000.00 contribution, Mr. Anderson earmarked \$500.00 for John McCormack, a candidate for the U. S. House of Representatives in the Third Congressional District of New York. Because this is the second contribution - the first was \$200.00 - the New Yorkers for Good Government have received from William P. Anderson, his aggregate year-to date total is \$1,200.00. Further, because both contributions to New Yorkers for Good Government earmarked portions of the total contributions - \$60.00 of the first contribution of \$200.00, and \$500.00 of the second contribution of \$1,000.00 - for John McCormack, Third Congressional District of New York, William P. Anderson's aggregate year-to-date total of earmarked funds for candidate McCormack is \$560.00. (Reported on Attachment 1, PAGE 4)

The New Yorkers for Good Government transferred on July 14, 1973, \$2,700.00 including the \$500.00 portion of the contribution by William P. Anderson earmarked for John McCormack, Third Congressional District of New York, to the Elect McCormack to Congress Committee, 650 Victory Lane, Albany, New York, 10003. (Reported on Attachment 2, PAGE 5) Finally, the Elect McCormack to Congress Committee received the \$2,700.00 from the New Yorkers for Good Government on August 1, 1973. (Reported on Attachment 3, PAGE 6)

Enclosure (2)  
PAGE 3



SCHEDULE A

ITEMIZED RECEIPTS—CONTRIBUTIONS, TICKET PURCHASES, LOANS, AND TRANSFERS

NEW YORKERS FOR GOOD GOVERNMENT

Part No. 1

(Full Name of Candidate or Committee)

(Use for itemizing Part 1, 2, 3, 4, or 5)

SEE REVERSE SIDE FOR INSTRUCTIONS

(Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any)	Aggregate Year-to-date (complete if applicable)	Amount of Receipt This Period
6/11/73	William P. Anderson (Stockbroker in New York City) 1500 South Brookline Drive New York, New York 10001		\$ 2,700.00
		Aggregate Year-to-date \$ 1,200.00	\$ 1,000.00
	[\$500.00 earmarked for John McCormack, 3rd Congressional District of New York, by William P. Anderson, a stockbroker in New York City, 1500 South Brookline Drive, New York, New York, 10001; aggregate year-to-date earmarked funds \$560.00]	Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	

EXPLANATION:

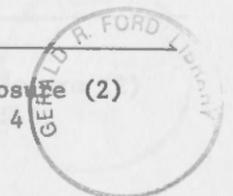
An individual contributed \$1,000.00 to a political committee, earmarking \$500.00 of the total contribution for a specific candidate. This is the second time during the calendar year that the individual earmarked funds for the same candidate; the first earmarking was for \$60.00.

	Aggregate Year-to-date \$
	Aggregate Year-to-date \$

Example 1 - Attachment 1 of 3

TOTAL THIS PERIOD  
(Last page of this Part only)

Enclosure (2)  
PAGE 4



July 20, 1973



**SCHEDULE A**

**ITEMIZED RECEIPTS—CONTRIBUTIONS, TICKET PURCHASES, LOANS, AND TRANSFERS**

ELECT MCCORMACK TO CONGRESS COMMITTEE  
(Full Name of Candidate or Committee)

Part No. 5  
(Use for itemizing Part 1, 2, 3, 4, or 5)

SEE REVERSE SIDE FOR INSTRUCTIONS  
(Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any)	Aggregate Year-to-date (complete if applicable)	Amount of Receipt This Period
		\$	
8/1/73	New Yorkers for Good Government 2 Grant Avenue New York, New York 10001		\$ 2,700.00
	[\$500.00 earmarked for John McCormack, Third Congressional District of New York, by William P. Anderson, 1500 South Brookline Drive, New York, New York, 10001, stockbroker in New York City; aggregate year-to-date earmarked funds from all sources \$560.00]		
		Aggregate Year-to-date \$	

**EXPLANATION:**

A political committee receives \$2,700.00 transferred from another political committee, including \$500.00 earmarked for a specific candidate.

	Aggregate Year-to-date \$
--	---------------------------

Example 1 - Attachment 3 of 3

**TOTAL THIS PERIOD**  
(Last page of this Part only)

Enclosure (2)  
PAGE 6

ITEMIZED RECEIPTS—CONTRIBUTIONS, TICKET PURCHASES, LOANS, AND TRANSFERS

Part No. 3  
(Use for itemizing Part 1, 2, 3, 4, or 5)  
Full Name of Candidate or Committee  
JOHN MCCORMACK TO CONGRESS COMMITTEE

SEE REVERSE SIDE FOR INSTRUCTIONS  
(Use separate page (a) for each numbered Part)

Amount of Receipt This Period	Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any) (complete if applicable)	Aggregate Year-to-date
\$ 2,700.00	8/15/73	New Yorkers for Good Government 5 Grant Avenue New York, New York 10001	
		[ \$200.00 earmarked for John McCormack, Third Congressional District of New York, by William P. Anderson, 1500 South Brookline Drive, New York, New York 10001, stockbroker in New York City; aggregate year-to-date earmarked funds from all sources \$250.00 ]	

EXPLANATION:

A political committee received \$2,700.00 transferred from another political committee, including \$200.00 earmarked for a specific candidate.

TOTAL THIS PERIOD  
(Last page of this Part only)

Example 1 - Attachment 3 of 3

Enclosure (2)  
PAGE 6

W. Pat Jennings  
Clerk

JOHN MCCORMACK - 3rd Congressional District of New York  
Part No. 1  
(Use for itemizing Part 1, 2, 3, 4, or 5)  
Office of the Clerk  
U.S. House of Representatives  
Washington, D.C. 20515

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any) (complete if applicable)	Amount of Receipt This Period	Aggregate Year-to-date
8/15/73	William P. Anderson (Stockbroker, New York City) 1500 South Brookline Drive New York, New York 10001	\$ 5,000.00	

EXAMPLE TWO WITH THREE ATTACHMENTS

THIS EXAMPLE OF EARMARKING INVOLVES THE RECEIPT OF A CONTRIBUTION BY A CANDIDATE, WHICH INCLUDES FUNDS EARMARKED FOR ANOTHER CANDIDATE.

On August 15, 1973 William P. Anderson, 1500 South Brookline Drive, New York, New York, 10001, a stockbroker in New York City, contributed \$5,000.00 to John McCormack, 111 Winners Circle, Albany, New York, 10003, who is a candidate for the U. S. House of Representatives in the Third Congressional District of New York. (Reported on Attachment 1, PAGE 8) William P. Anderson earmarked \$2,500.00 of his contribution for John Adams, 35 Bellevue Drive, Great Neck, New York, 10002, a candidate for the U. S. House of Representatives in the Second Congressional District of New York. John McCormack transferred to John Adams the earmarked \$2,500.00 on August 23, 1973. (Reported on Attachment 2, PAGE 9) John Adams received the earmarked \$2,500.00 on August 31, 1973. (Reported on Attachment 3, PAGE 10)

An individual contributed \$5,000.00 to a candidate, earmarking \$2,500.00 of that for another candidate.

Enclosure (2)  
PAGE 7

TOTAL THIS PERIOD  
(Last page of this Part only)

Example 2 - Attachment 3 of 3



SCHEDULE A

ITEMIZED RECEIPTS—CONTRIBUTIONS, TICKET PURCHASES, LOANS, AND TRANSFERS

JOHN MCCORMACK—3rd Congressional District of New York

Part No. 1

(Full Name of Candidate or Committee)

(Use for itemizing Part 1, 2, 3, 4, or 5)

SEE REVERSE SIDE FOR INSTRUCTIONS

(Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any)	Aggregate Year-to-date (complete if applicable)	Amount of Receipt This Period
8/15/73	William P. Anderson (Stockbroker, New York City) 1500 South Brookline Drive New York, New York 10001	Aggregate Year-to-date \$	\$ 5,000.00
	[\$2,500.00 earmarked for John Adams, Second Congressional District of New York, by William P. Anderson, 1500 South Brookline Drive, New York, New York, 10001, a stockbroker in New York City]	Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	

EXPLANATION:

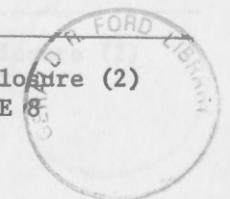
An individual contributed \$5,000.00 to a candidate, earmarking \$2,500.00 of that for another candidate.

	Aggregate Year-to-date \$
	Aggregate Year-to-date \$

Example 2 - Attachment 1 of 3

TOTAL THIS PERIOD  
(Last page of this Part only)

Enclosure (2)  
PAGE 8



Office of the Clerk  
U.S. House of Representatives  
Washington, D.C. 20515

EXAMPLE TWO WITH THREE ATTACHMENTS

THIS EXAMPLE OF EARMARKING INVOLVES THE RECEIPT OF A CONTRIBUTION BY A CANDIDATE, WHICH INCLUDES FUNDS EARMARKED FOR ANOTHER CANDIDATE.

On August 15, 1973 William P. Anderson, 1500 South Brookline Drive, New York, New York, 10001, a stockbroker in New York City, contributed \$5,000.00 to John McCormack, 111 Winners Circle, Albany, New York, 12207, who is a candidate for the U. S. House of Representatives in the Third Congressional District of New York. (Reported on Attachment 1, PAGE 8)

William P. Anderson earmarked \$2,500.00 of his contribution for John Adams, 35 Bellevue Drive, Great Neck, New York, 10001, a candidate for the U. S. House of Representatives in the Second Congressional District of New York. John McCormack transferred to John Adams the earmarked \$2,500.00 on August 23, 1973. (Reported on Attachment 2, PAGE 9) John Adams received the earmarked \$2,500.00 on August 31, 1973. (Reported on Attachment 3, PAGE 10)

Enclosure (2)  
PAGE 7



**SCHEDULE A**

**ITEMIZED RECEIPTS—CONTRIBUTIONS, TICKET PURCHASES, LOANS, AND TRANSFERS**

**JOHN ADAMS - 2nd Congressional District of New York**  
(Full Name of Candidate or Committee)

Part No. 5  
(Use for itemizing Part 1, 2, 3, 4, or 5)

**SEE REVERSE SIDE FOR INSTRUCTIONS**

(Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any)	Aggregate Year-to-date (complete if applicable)	Amount of Receipt This Period
		\$	
8/31/73	John McCormack - 3rd Congressional District of New York 111 Winners Circle Albany, New York 10003		\$ 2,500.00
		Aggregate Year-to-date \$	
	[\$2,500.00 earmarked for John Adams, 2nd Congressional District of New York, by William P. Anderson, 1500 South Brookline Drive, New York, New York 10001, a stockbroker in New York City.]		
		Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	

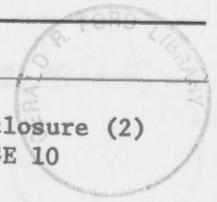
**EXPLANATION:**

A candidate received the transfer from another candidate of an earmarked contribution.

These funds were expended by Geoffrey A. Stauch on May 27, 1973 for the New York of John Adams, Second Congressional District of New York as follows: 1) \$25.00 to Ringwall's Caterers, Old Forge, New York, for food and drinks for lawn party, 2) \$200.00 to Hansen Signs, Old Forge, New York, for lawn signs for lawn party guests, and 3) \$65.00 for various expenses and reported as unitemized expenditures in Part 9(b).

	Aggregate Year-to-date \$	
	Aggregate Year-to-date \$	

**TOTAL THIS PERIOD**  
(Last page of this Part only)





UNITED STATES HOUSE OF REPRESENTATIVES

Office of the Clerk  
Washington, D.C.

REPORT OF RECEIPTS AND EXPENDITURES  
FOR A  
COMMITTEE

SUPPORTING ANY CANDIDATE(S) FOR NOMINATION OR ELECTION TO THE  
UNITED STATES HOUSE OF REPRESENTATIVES

Geoffrey A. Stauch  
(Full Name of Committee)  
2 Lake Drive

Identification Number

n/a

Raquette Lake, New York 10004  
(Street)

(City, State, ZIP code)

TYPE OF REPORT

(Check Appropriate Box and Complete, if Applicable)

- March 10 report.
- June 10 report.
- September 10 report.
- January 31 report.
- Fifteenth day report preceding \_\_\_\_\_ election on \_\_\_\_\_  
(Primary, general, special, runoff, caucus, or convention) (Date)
- Fifth day report preceding \_\_\_\_\_ election on \_\_\_\_\_  
(Primary, general, special, runoff, caucus, or convention) (Date)
- Termination report.
- Report required by Section 305 of P. L. 92-225

VERIFICATION BY OATH OR AFFIRMATION

State of New York  
County of Hudson ss.

I, Geoffrey A. Stauch, being duly sworn, depose (affirm) and say  
(Full Name of Treasurer of Committee)  
that this Report of Receipts and Expenditures is complete, true, and correct.

(signed)

(Signature of Treasurer of Committee)

Subscribed and sworn to (affirmed) before me this 1 day of June, A.D. 1973

(signed)

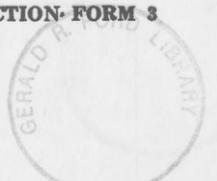
(Notary Public)

[SEAL] My commission expires June 30, 1974

RETURN COMPLETED REPORT AND ATTACHMENTS TO:  
The Clerk, U.S. House of Representatives  
Office of Records and Registration  
1036 Longworth House Office Building  
Washington, D.C. 20515

Example 3 -  
Attachment 1 of 4

Enclosure (2)  
PAGE 12



Office of the Clerk  
Washington, D.C.

REPORT OF RECEIPTS AND EXPENDITURES

FOR A  
COMMITTEE

SUPPORTING ANY CANDIDATE(S) FOR NOMINATION OR ELECTION TO THE  
UNITED STATES HOUSE OF REPRESENTATIVES

Identification Number: [ ]  
Name of Candidate or Committee: Geoffrey A. Staunch  
Full Name of Committee: [ ]  
Address: 2 Lake Drive  
City, State, ZIP code: [ ]  
City, State, ZIP code: [ ]

TYPE OF REPORT

(Check Appropriate Box and Complete If Applicable)

- March 10 report
- June 10 report
- September 10 report
- January 31 report

Primary, general, special, runoff, caucus, or convention  
Fifteenth day report preceding election on (Date) [ ]  
Fifth day report preceding election on (Date) [ ]

[X] Report required by Section 305 of P.L. 93-235  
VERIFICATION BY OATH OR AFFIRMATION

State of New York  
County of Hudson

I, Geoffrey A. Staunch, being duly sworn, depose (affirm) and say  
that this report of receipts and expenditures is complete, true, and correct.

(Signed) \_\_\_\_\_  
(Signature of Treasurer of Committee)

Subscribed and sworn to (affirmed) before me this 1 day of June, A.D. 1973  
(Signed) \_\_\_\_\_  
(Notary Public)

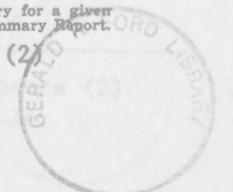
My commission expires June 30, 1974  
RETURN COMPLETED REPORT AND ATTACHMENTS TO:  
The Clerk, U.S. House of Representatives  
Office of Records and Legislation  
1028 Longworth House Office Building  
Washington, D.C. 20515

Name of Committee Geoffrey A. Staunch

SUMMARY REPORT COVERING PERIOD FROM April 7, 1973 THRU May 31, 1973

	Column A— This period	Column B— Calendar year to date
<b>SECTION A—RECEIPTS:</b>		
Part 1. Individual contributions:		
a. Itemized (use schedule A*)	\$ 0	\$ 0
b. Unitemized	\$ 0	\$ 0
Total individual contributions	\$ 0	\$ 0
Part 2. Sales and collections:		
Itemize (use schedule B*)	\$ 0	\$ 0
Part 3. Loans received:		
a. Itemized (use schedule A*)	\$ 0	\$ 0
b. Unitemized	\$ 0	\$ 0
Total loans received	\$ 0	\$ 0
Part 4. Other receipts (refunds, rebates, interest, etc.):		
a. Itemized (use schedule A*)	\$ 500.00	\$ 500.00
b. Unitemized	\$ 0	\$ 0
Total other receipts	\$ 500.00	\$ 500.00
Part 5. Transfers in:		
Itemize all (use schedule A*)	\$ 0	\$ 0
TOTAL RECEIPTS	\$ 500.00	\$ 500.00
<b>SECTION B—EXPENDITURES:</b>		
Part 6. Communications media expenditures:		
Itemize all (use schedule C*)	\$ 0	\$ 0
Part 7. Expenditures for personal services, salaries, and reimbursed expenses:		
a. Itemized (use schedule D*)	\$ 0	\$ 0
b. Unitemized	\$ 0	\$ 0
Total expenditures for personal services, salaries, and reimbursed expenses	\$ 0	\$ 0
Part 8. Loans made:		
a. Itemized (use schedule D*)	\$ 0	\$ 0
b. Unitemized	\$ 0	\$ 0
Total loans made	\$ 0	\$ 0
Part 9. Other expenditures:		
a. Itemized (use schedule C*)	\$ 435.00	\$ 435.00
b. Unitemized	\$ 65.00	\$ 65.00
Total other expenditures	\$ 500.00	\$ 500.00
Part 10. Transfers out:		
Itemize all (use schedule B*)	\$ 0	\$ 0
TOTAL EXPENDITURES	\$ 500.00	\$ 500.00
<b>SECTION C—CASH BALANCES:</b>		
Cash on hand at beginning of reporting period	\$ 0	\$ 0
Add total receipts (section A above)	\$ 500.00	\$ 500.00
Subtotal	\$ 500.00	\$ 500.00
Subtract total expenditures (section B above)	\$ 500.00	\$ 500.00
Cash on hand at close of reporting period	\$ 0	\$ 0
<b>SECTION D—DEBTS AND OBLIGATIONS:</b>		
Part 11. Debts and obligations owed to the committee (use schedule E*)	\$ 0	\$ 0
Part 12. Debts and obligations owed by the committee (use schedule E*)	\$ 0	\$ 0

\*Schedules are to be used only when itemization is required. (See each Schedule for instructions.) When itemization is unnecessary for a given Part, the total of any amounts for that Part is to be entered as a lump sum on the "Unitemized" line of the appropriate Part of the Summary Report. The word "None" should be entered on any line of the Summary Report when no amount is being reported.



**SCHEDULE A**

**ITEMIZED RECEIPTS—CONTRIBUTIONS, TICKET PURCHASES, LOANS, AND TRANSFERS**

Geoffrey A. Staunch  
(Full Name of Candidate or Committee)

Part No. 4  
(Use for itemizing Part 1, 2, 3, 4, or 5)

**SEE REVERSE SIDE FOR INSTRUCTIONS**  
(Use separate page(s) for each numbered Part)

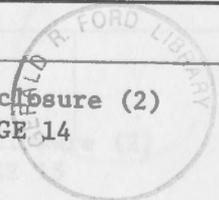
Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any)	Aggregate Year-to-date (complete if applicable)	Amount of Receipt This Period
5/19/73	Committee to Elect John McCormack 650 Victory Lane Albany, New York 10003	Aggregate Year-to-date \$	\$ 500.00
	[\$500.00 earmarked for the benefit of John Adams, 2nd Congressional District of New York, by William P. Anderson, 1500 South Brookline Drive, New York, New York 10001, a stockbroker in New York City]	Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	

**EXPLANATION:**

An "other person" received \$500.00 from a political committee, earmarked for the benefit of a specific candidate.

Aggregate Year-to-date  
\$

**TOTAL THIS PERIOD**  
(Last page of this Part only)



**SCHEDULE C**

**ITEMIZED EXPENDITURES—COMMUNICATIONS AND NON-COMMUNICATIONS MEDIA**

Geoffrey A. Stauch

(Full Name of Candidate or Committee)

Part No. 9

(Use for itemizing Part 6 or 9)

SEE REVERSE SIDE FOR INSTRUCTIONS  
(Use separate page (s) for each numbered Part)

Example 3 - Attachment 4 of 4

DATE OF PAYMENT (month, day, year)	PAYEE (Recipient of Payment) Full Name, Mailing Address, (occupation and principal place of business, if any)	PURPOSE OF EXPENDITURE (For communications media expenditures, also specify date(s) of use)	CHECK (✓) EXPENDITURE BY ELECTION					AMOUNT OF EXPENDITURE THIS PERIOD	ALLOCATE EXPENDITURES BY CANDIDATE (To be completed only by Committees supporting more than one candidate)	
			Primary	General	Special	Runoff	Caucus or Convention		Full Name, Congressional District (if applicable), State, and Party	Amount of Expenditure This Period
5/27/73	Ridgewell's Caterers 1400 Third Street Old Forge, New York 10004	Food & Drinks for lawn party						\$ 235.00	John Adams 2nd Congressional District of New York Democratic	100%
5/27/73	Hansen Signs Boulevard Mall Old Forge, New York 10004	Yard Signs for lawn party guests						\$ 200.00	John Adams 2nd Congressional District of New York Democratic	100%
	[\$500.00 earmarked for the benefit of John Adams, 2nd Congressional District of New York, by William P. Anderson, 1500 South Brookline, New York, New York, 10001, a stockbroker in New York City]									

**EXPLANATION:**

An "other person" is reporting expenditures of funds earmarked for the benefit of a specific candidate. NOTE: \$65.00 was spent on various miscellaneous items which are accounted for and reported as an unitemized expenditure in Part 9(b).

TOTAL THIS PERIOD  
(Last page of this Part only)

Enclosure (2)  
PAGE 15



SEE REVERSE SIDE FOR INSTRUCTIONS  
(Use separate page(s) for each numbered Part)

FORM 12-A (10-1-73)  
U.S. GOVERNMENT PRINTING OFFICE: 1973

REVEREND BISHOP'S CONTRIBUTIONS TICKET PURCHASES TO THE END OF 1973  
SCHEDULE A