

defense and prosecution attorneys. By week's end Sirica had given preliminary approval to only twelve possible jurors; he would need at least 45 if the opposing attorneys exercise all of the peremptory challenges he has allowed. Many prospective jurors have been dismissed because they would suffer unduly if sequestered from family or business duties for the full length of the trial, which could go on past Christmas.

Although not physically present, the former President, for whom all of the defendants had worked, was and will remain a central figure in the trial. His lawyers presented motions to quash two subpoenas issued for his testimony at the trial—one from Special Prosecutor Leon Jaworski, the other from Ehrlichman. Sirica sealed the papers supporting the motions until after the jury has been sequestered. Nixon's health was cited as the major reason for his unwillingness to appear; national security was listed as another reason.

Mentally Sharp. Nixon meanwhile was released from Long Beach Memorial Hospital Medical Center after a twelve-day stay. Dr. John Lungren, his personal physician and a longtime friend, reported that the blood clot in Nixon's left leg was gone and the clot in his lung was no longer detectable. Exhaustive tests showed no signs of the cancerous condition that sometimes triggers such clots in phlebitis cases.

Lungren insisted that Nixon was "mentally sharp but physically extremely fatigued" and must not travel for as long as three months or even give a deposition for two or three weeks. He said that Nixon must be closely supervised while recuperating. The anti-coagulant pills he will take could cause hemorrhaging if Nixon had any accident, Lungren said. If Nixon were to sit, ride or stand for prolonged periods, this could cause "stagnation or sludging of the blood" in his left leg. Lungren said he was worried about turbulence in air travel. If the lawyers at the Watergate trial "have communication with the good Lord and can tell Nixon that he's going to have a perfect flight, then he can go," said Lungren. The possibility of travel by rail was not discussed. Lungren conceded that many people suspect that his advice to Nixon is more politically than medically motivated. "There are a lot of doubting Thomases—the country is full of them," said Lungren, "but this is my honest conception of what I think could happen to him during his recovery period."

Indeed, some experts in pulmonary disease said that on the available information they could not understand why the ex-President need be restricted from air travel for as long as three months or be excluded from testifying. After all, trial witnesses have often appeared in court in wheelchairs. What also puzzled other doctors was the cause and seriousness of Nixon's "fatigue." Lungren's explanation: "He's had 27 years without a vacation, 5½ years in the toughest

job in the world, and he's had recurrences of phlebitis since June."

Before he left the hospital, Nixon's mood clearly was irritable. When he emerged from a room in a wheelchair and spotted Photographer Kent Henderson of the Long Beach *Independent Press-Telegram*, he snarled an undeleted expletive: "You goddamn son of a bitch." The startled photographer neglected to squeeze off a shot.

Nixon's mood could not have been helped by news that the Senate overwhelmingly (56 to 7) passed a bill to cancel his agreement with President Ford that would have allowed the former President to retain control over his Watergate White House tapes and papers. The bill, expected to gain House approval and to be signed by Ford, keeps the

material under custody of the General Services Administration in Washington. It will be available to official Watergate investigators.

Nor could Nixon have been pleased by the fact that the House had chopped his transition funds from the \$850,000 requested by President Ford to \$200,000.* Taking particular aim at a \$25,000 item for Nixon's travel expenses, California Democrat George Danielson asked: "Where's he going? He's already gone."

*The \$200,000 does not include the \$220,000 in salaries of federal employees assigned to work with Nixon since he left office or some \$415,000, which, according to a Senate subcommittee, has already been spent on his support in the same period. By contrast, Lyndon Johnson, the only other President to benefit from the same laws, was given only \$370,276 spread over 18 months.

OLIPHANT—LOS ANGELES TIMES



"More?? You want more?!"

POLITICS

A Reform in Campaign Spending

The disaster of Watergate will yet benefit the U.S. if some lessons are learned, some long-range changes brought about. This week Congress almost certainly will approve a momentous reform that grew directly out of Watergate: the public financing of presidential campaigns.

The currying—or outright buying—of future governmental favors by private interests through campaign contributions to both parties has long been one of the most degrading features of U.S. political life. In Nixon's 1972 reelection campaign, it reached new depths. Last week the Greyhound Corp. became the 16th corporation to plead guilty to making illegal contributions.

The obvious cure for such real and apparent abuses is to consider the election of a President a public responsibility to be financed from public funds. That is the major provision in a campaign-spending reform bill agreed upon last

week by House-Senate conferees after months of backstage wrangling in both chambers. The bill does not apply the same funding principles, however, to elections for Senators and Congressmen.

Under the compromise, the public funding of presidential campaigns would work this way:

MAJOR PARTY CANDIDATES. A major party is defined as one whose candidate drew at least 25% of the vote in the previous presidential election. For the general election, if a sufficient pool of tax money has been built up, each such party's candidate would be allotted \$20 million in public funds to finance a campaign. The money would come from the income tax check-off system now in effect, by which each taxpayer can earmark \$1 of the tax he is paying for this purpose. The check-off fund is expected to total at least \$64 million by 1976. Beyond the \$20 million spending ceiling,

the state and national committees of a candidate's party can support his campaign at a rate of 2¢ per vote—roughly \$2.9 million.

Presidential primary campaigns would be financed by a mixture of public and private funding, but with a spending limit of \$10 million per candidate. To become eligible for any public funds at all, a candidate would first have to raise \$5,000 in each of at least 20 states, in gifts not exceeding \$250. For each \$5,000 such a candidate raised privately, the Government would provide a matching \$5,000, up to \$4.5 million. In addition, the nominating conventions of major parties would be supported from the check-off fund with \$2 million each—roughly what the two parties spent in 1972.

FRINGE CANDIDATES. A presidential candidate from a party not defined as major would be entitled to public funds under a formula linked to the percentage of the public vote his party received in the most recent presidential election. (The American Independent Party, which ran John G. Schmitz for President in 1972, polled 1,099,482 votes, only less than 5% of the total, and thus would not qualify.)

The big battle in the conference committee was over applying the public funding idea to senatorial and congressional races. House members, who have to run for office every other year, were particularly loath to provide ready funds for opponents seeking to unseat them. Some critics of the House bill, which provided public financing only for presidential campaigns, tagged it the Incumbents' Protection Act.

The conferees did agree, however, to place upper limits on both private donations and candidate expenditures in Senate and House campaigns. Candidates for the Senate could spend \$100,000 in primary elections or 8¢ per voter in their state, whichever amount is greater; they could spend \$150,000 in general elections or 12¢ per voter. In New York, for example, the 12¢ would allow about \$1.5 million (in his successful 1970 campaign, New York Senator James Buckley spent \$1.1 million in the general election). The same limitations would apply to House candidates in the six states that have only one Congressman (Alaska, Delaware, Nevada, North Dakota, Vermont and Wyoming). For House races in other states, candidates could spend no more than \$70,000 in their primary- and general-election campaigns.

No single individual could give more than \$25,000 in one election year, no matter how many candidates for federal office shared in his gifts. He could give only \$1,000 to a single candidate in each election (primary, runoff and general) or a total of \$3,000. Organizations such as the National Education Association could give only \$5,000 to a candidate in each such election, or a total of \$15,000.

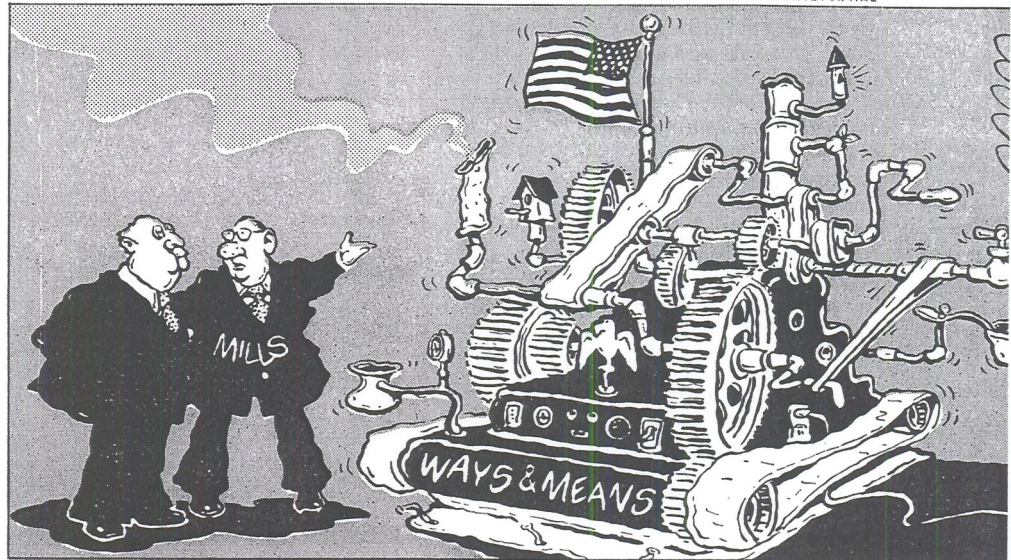
The Senate conferees prevailed in insisting that a relatively independent commission with enforcement powers be created to ensure that the new laws are observed. It would consist of six voting members, two each nominated by the House, the Senate and the President. All nominees to the commission would have to be confirmed by a majority vote of both the House and Senate. The commission could bring civil but not criminal action against offenders; the legislators had no wish to make it easier to jail a Senator or Representative.

By the time the compromise was reached, the pressures for reform had grown so great that many past foes of public financing revealed that they would vote for the measure. Alabama's Democratic Senator James Allen, who

had filibustered against the original Senate bill, indicated he would not repeat that tactic. Ohio Democrat Wayne Hays, who had bottled up the reform in committee for months, is now expected to support the compromise.

The only remaining question was whether President Ford, long an outspoken critic of public financing, would sign the bill. It is expected that he too, despite personal misgivings, will decide that some reform is essential. Said John Gardner, chairman of the citizens' lobby Common Cause: "We got more than we had expected—other than in the area of public financing of congressional elections." Gardner and other observers predict that by 1978, public funding of House and Senate races will also be a fact.

MICHAEL WITTE FOR TIME



"Unwieldy? You call that unwieldy?"

THE CONGRESS

The Struggle to Reform the House

For all of their complaints about the shift of power from Capitol Hill to the White House, most Congressmen realize that the nature of Congress itself, which sometimes resembles a collection of medieval fiefdoms, is largely to blame. Major legislation is frequently blocked by intramural squabbling between competing committees of the House, and some Congressmen hold too many important committee assignments to be effective in any of them. Far more than the Constitution intended, the President initiates—and the Congress, hampered by its unwieldy machinery, merely reacts.

Last year, in an effort to modernize its structure and procedures for the first time since 1946, the House of Representatives created a select committee headed by Missouri's tough-minded Democrat Richard Bolling to produce ideas for reform. Last week, as the House began debate on the Bolling committee's pro-

posals, it was clear that everyone favored reform—for everyone else—and that many Congressmen were sorry they had even mentioned the word. Many members, said Michigan Democrat John Dingell, felt like the little boy who had shot a skunk: "After you've shot it, you're not quite sure what to do with it."

With a budget of \$1.5 million, a staff of 14, and a membership of ten evenly divided between Democrats and Republicans, the Bolling committee labored for more than a year. It listened patiently to committee chairmen, academics, businessmen and labor leaders. It analyzed the 22 standing committees of the House and the 125 subcommittees.

The Bolling group concluded that: some committees have too little to do and others too much (simply because of its overload, for example, Ways and Means is often unable to consider measures that should have top priority); some important fields, like energy or the