

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672

1383 SCOMM 51: BLUE RIBBON COMN. ON STATE PERSONNEL ACT 1978-1983

New Jersey.....	..	....	15,000(b)	..	....	Const. & Stat.	1954	...	State railroad pass	.....
New Mexico.....	20	(w)	....	20	30 C	Const. & Stat.	1953	10c	One round trip	Stationery, postage, telephone and telegraph allowance; additional \$25 a day and 10c per mile for service on interim committees.
New York.....	..	....	30,000(b)	..	....	Const. & Stat.	1961	(l)	Round trip per week	\$2,000 expense allowance at 1965 annual sessions
North Carolina.....	15	120 C	....	15	25 C	Const.	1956	8c	One round trip per week	\$20 per day subsistence
North Dakota.....	5	60 L	....	5	....	Const.	1889	10c	One round trip	\$20 per day plus \$35 per month expense allowance during biennium
Ohio.....	15	75 L(x)	16,000	15	75 L(x)	Stat.	1965	10c	Round trip per week	Postage and stationery
Oklahoma.....	..	....	3,900(x)	..	....	Const.	1948	10c	One round trip per week	Postage, stationery, telephone and telegraph allowance and shipping legislative supplies
Oregon.....	20(y)	120 C	6,000	20	120 C	Stat.	1963	8c	.....	Travel allowance paid during interim period only
Pennsylvania.....	..	....	14,400(b)	..	....	Stat.	1965	10c	Round trip per week	\$4,800(b)
Rhode Island.....	5	60 L(b)	....	..	....	Const.	1900	8c	.....	.....
South Carolina.....	..	....	3,600(b)	45	40 L	Stat. & Const.	1960	9c	Round trip per week	\$15 per day for maximum of 40 days per annual session
South Dakota.....	..	....	3,000(b)	10	....	Stat.	1963	5c	One round trip	.....
Tennessee.....	10	75 C	....	10	20 C	Stat. & Const.	1953	16c	One round trip	\$5 per day
Texas.....	..	....	9,600(x)	..	....	Const.	1960	10c	One round trip	Per diem of \$12 for first 120 days of regular session and for 30 days of each special session; postage, stationery, supplies, telephone and secretarial assistance
Utah.....	..	....	1,000	..	....	Const. & Stat.	1951	10c	One round trip per week, if incurred	\$5 per day
Vermont.....	(aa)	....	....	..	....	Stat.	1955	8c	One round trip per week	.....
Virginia.....	..	....	1,080	30	30 C	Stat.	1958	7c	One round trip	\$720 for regular session; \$360 for special sessions
Washington.....	..	....	2,400	25	....	Stat.	1965	10c	.....	\$40 per day
West Virginia.....	..	....	3,000(b)	..	....	Const.	1954	10c	One round trip	.....
Wisconsin.....	..	....	10,800(ab)	..	....	Stat.	1965	(ac)	Rate-distance ratio(ac)	(ad)
Wyoming.....	12	40 C	....	12	....	Stat.	1941	8c	One round trip	\$20 per day
Puerto Rico.....	..	....	5,400(b)	..	....	Act	1960	15c	Round trip per week (ae)	\$10 per day(af); \$200 for telephone; \$100 for postage; \$100 for stationery

Abbreviations: L—Legislative days; C—Calendar days.
(a) The legislature meets for 18 weeks. Legislators receive \$210 a week in combined daily salary and expense allowance, a total of \$3,780 for each regular biennial session.
(b) Annual sessions.
(c) Plus excess baggage allowance.
(d) Plus \$20 per day salary (limited to \$1,800 in a year) for special sessions and interim committee meetings; \$12 per day subsistence for days required to attend interim committee meetings, plus 10c a mile or first class public carrier.
(e) Payable at rate of \$100 each month. Speaker of the House receives \$2,700.
(f) Legislators receive \$100 a month for each of the 24 months in the biennium, plus a per diem of \$20 a day for each of the 60 calendar days of the biennial legislative session.
(g) 12½c a mile for interim committee meetings and \$25 a day for maximum of 60 days for interim committee meetings.
(h) Legislators receive \$100 a month during biennium plus \$4,000, paid at rate of \$25 a day during regular and special sessions up to a total of 160 days each biennium with remainder paid as a lump sum. Legislators also receive \$20 per day, not to exceed \$600 in any calendar year, while not in session, for attendance at legislative meetings, plus actual and necessary traveling expenses.
(i) Actual and necessary expenses.
(j) Not to exceed 40 days in even years; 45 days in odd years.
(k) 70-day limit on special sessions called by Governor except for impeachment proceedings; 30-day limit on sessions convened by legislature except for impeachment proceedings.
(l) \$2,500 per general session; \$1,500 per budget session; \$750 for each special session.
(m) 120 C-days biennial total; 90 C-day regular session; 30 C-day budget session. Legislators are paid additional allowance of \$50 per calendar month, except for January, February and March in odd years, and January during even years to defray expenses between sessions.
(n) Legislators are paid for Sundays and holidays during session, consequently compensation period usually is 72 to 74 days.

(o) 90 days biennial total: 60-day regular session, 30-day budget session.
(p) In terms of fixed amounts for each legislator.
(q) Determined at each session in Massachusetts.
(r) Within 40-mile radius, 8c a mile daily to amount to not less than \$7 a week; outside 40-mile radius, \$60 per week living expenses plus 8c a mile for one round trip per week.
(s) Unlimited for all committee work.
(t) Plus one extra round trip each 7 days at 6c a mile.
(u) 10c a mile for special trips not to exceed \$350 per session.
(v) 25c per mile for first 45 miles; 8c per mile for next 25 miles; 6c over 70 miles.
(w) Not to exceed 30 calendar days in even years; 60 calendar days in odd years.
(x) Figure shown is approximation for biennium in which no special session is held. In 1963-64 biennium, combined per diem and salary totaled \$3,907.50. Legislators receive \$15 for first 75 legislative days, including intervening nonlegislative days for regular or special session, otherwise \$100 a month.
(y) Expenses plus salary.
(z) Members receive an annual salary of \$4,800.
(aa) Members receive \$80 for each week or portion thereof during regular session.
(ab) \$450 a month salary and \$15 per day expenses for those who are required to establish a temporary residence in Madison.
(ac) 10c a mile for one round trip; thereafter, 7c a mile for first 2,000 miles per month; 6c a mile for each additional mile once a week during the session.
(ad) Interim expense allowance paid for each full calendar month when legislature is not in actual session, as follows: for district of one county or less—Assemblyman, \$25 per month; Senator, \$40 per month. For each additional county or part of county in district—Assemblyman, \$15 per month; Senator, \$20 per month.
(ae) Minimum \$10.
(af) \$15 per day within 25-50 kilometers radius; \$25 per day beyond.

October 2, 1985

TO: Senator Mitch Abood
Anchorage Office

ATTN: Linda Firestone

FROM: Frank Bickford

<u>Session Years</u>	<u>Legislator's Salary</u>	<u>Travel Allowance</u>	<u>Per Diem</u>	<u>Allowance-Post- age/Stationary</u>	<u>Number of Days Per Session</u>
'64-'65	\$ 5,000/yr	0.15/mile 1 RTT*	\$35/day	\$ 30	'64 - 85 days 3 day S/S* '65 - 75 days No S/S
Presiding Officers received \$500/year extra					
'66-'67	\$10,495/yr (est. included travel, per diem, etc.)				'66 - 84 days No S/S '67 - 77 days 6 day S/S
Presiding Officers received \$500/year extra					
'68-'69	\$ 6,000/yr	0.15/mile 1 RTT	\$35/day	\$ 300	'68 - 86 days No S/S '69 - 95 days No S/S
Presiding Officers received \$500/year extra					
'70-'71	\$ 6,000/yr	0.15/mile 1 RTT	\$35/day	\$ 300	'70 - 146 days No S/S '71 - 120 days No S/S
Presiding Officers received \$500/year extra					
'72-'73	\$ 9,000/yr	0.15/mi. 1 RTT	\$35/day	\$4,000	'72 - 166 days No S/S '73 - 90 days 27 day S/S
Presiding Officers received \$500/year extra					
'74-'75	\$18,000/yr	0.12/mi	\$35/day	\$4,000	'74 - 96 days 4 day S/S '75 - 139 days No S/S
Presiding Officers received \$500/year extra					

*1 RTT (1 Round Trip Ticket)

*S/S (Special Session)

<u>Session Years</u>	<u>Legislator's Salary</u>	<u>Travel Allowance</u>	<u>Per Diem</u>	<u>Allowance-Post- age/Stationary</u>	<u>Number of Days Per Session</u>
'76-'77	\$29,440	0.16/mi 1 RTT*	\$48/day (overnight) \$35/day (not overnight)	\$4,000	'76 - 142 days No S/S* '77 - 141 days No S/S
1 RTT Presiding Officers received \$500/year extra					
'78-'79	\$23,500	0.20/mi 1 RTT	\$50/day	\$4,000	'78 - 161 days No S/S '79 - 112 days 3 day S/S
Presiding Officers received \$500/year extra					
'80-'81	\$11,750	0.25/mi 1 RTT	\$55/day	\$4,000	'80 - 145 days 3 day S/S '81 - 165 days 3 day S/S
Presiding Officers received \$500/year extra					
'82-'83	\$18,768	0.25/mi 1 RTT	\$60-67 per day (depending on residency)	\$4,000	'82 - 144 days No S/S '83 - 162 days No S/S
Presiding Officers received \$500/year extra					
'84-'85	\$48,000	1 RTT	None	\$4,000	'84 - 120 No S/S
Presiding Officers received \$500/year extra					

This information provided by "The Book of States," published by the Council of State Governments.

To: Senator Mitch Abood, Chairman
From: Frank Bickford, Consultant - Joint Special Committee on
Legislative Salaries
Re: Special Session-1985 Costs

1985 Special session costs averaged \$3,262.82 *. Hotels, Rental car and meals were averaged in by researching costs of all hotels, rental car, and restaurants in the Juneau area.

Hotels - \$1,513.82 - 22 days.

Meals - \$1,100.00 - 22 days

Rental Car - \$649.00 - 22 days

Total - \$3,262.82

* Round Trip airfare was provided as well as 200 pounds of air freight allowance.

MEMORANDUM

August 16, 1985

Subject: Brief Summaries of CS SCR # 19, CS SJR #15, SB #161, SS HJR #55, HB #513, and CSSCR # 28.

From: Frank Bickford
Legislative Salary Committee

CSSCR No. 19, establishing a Joint Special Committee on Legislative Salaries. To examine legislative salaries, per diem, and allowances. Three public members selected by the committee with three members of the Senate appointed by the President of the Senate and three members of the House of Representatives appointed by the Speaker of the House. The committee will compare the approach taken by other states and develop recommendations for reducing operating expenses. The committee will report its recommendations and findings on the first day of the second session of the fourteenth legislature and is terminated on the first day of the second session of the fourteenth legislature.

CSSJR No. 15, proposing an amendment to the Constitution of the State of Alaska creating a commission on compensation of elected officials. Legislators will receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation. Compensation of legislators shall be set by the Commission on Compensation of Elected Officials. Article XII, Constitution of the State of Alaska under this legislation would be amended to read: Compensation Commission. There is established a Commission on Compensation of Elected Officials. The commission of five members appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. Members serve for staggered terms of six years. The governor shall appoint members without regard to political affiliation. A member of the commission may not be employed by the state during the member's term and may not hold an elective state office during the term or within one year thereafter. An order setting the compensation of an elected official is not subject to veto by the governor. An order of the commission is subject to initiative and referendum in the same manner as act of the legislature. The amendments proposed by this resolution shall be placed before the voters of the state at the next general election.

SB No. 161, this Act takes effect on the effective date of CSSJR No. 15.

SSHJR No. 55, Proposing an amendment to the Constitution of the State of Alaska relating to legislators' remuneration. The amendment proposed by this resolution shall be placed before the voters of the state at the next general election. The resolution states that legislators shall receive annual salaries, per diem allowance, travel expenses, presiding officers to receive additional compensation, and that the remuneration of a legislator shall not be increased during the legislator's term of office.

HB No. 513, An act relating to the compensation of legislators; and providing for an effective date. Salary of Legislators. Monthly salaries to be Step A, Range 10. The presiding officers of the Senate and House are entitled to an additional \$500 a year during tenure of office and the rate of per diem instead of subsistence

shall be described in accordance with AS 39.23. Act was to take effect July 1, 1984.

CSHCR No. 28, is the same as CSSCR No. 19 with one exception. The exception is that in CSHCR No. 28 there are no public members on it's committee.

MEMORANDUM

June 13, 1985

SUBJECT: Joint Special Committee on Legislative Salaries (CSSCR 19(Fin) am H)

TO: Senator Mitch Abood, Chair,
Joint Special Committee on
Legislative Salaries

FROM: Tamara Brandt Cook
Deputy Director
Division of Legal Services

The legislature established a Joint Special Committee on Legislative Salaries last session in CSSCR 19(Fin) am H. You have asked several questions regarding that committee.

1. The resolution provides that three public members are to be selected by the Joint Special Committee on Legislative Salaries and you have asked how these public members should be chosen. Rule 21 of the Uniform Rules under which the joint special committee was established does not address the possibility of people serving on a legislative committee who are not legislators. The selection process, therefore, is a matter for the appointed legislator members of the committee to decide and the process should be approved by a majority vote of a quorum of the committee. Since the resolution requires that the public members are to be selected by the joint special committee, individuals finally chosen should be approved by majority vote of the committee, rather than simply appointed by the chairman, for instance.

2. What is a public ex officio member? Black's Law Dictionary defines ex officio as follows:

From office; by virtue of the office; without any other warrant or appointment than that resulting from the holding of a particular office.

The term "ex officio" clearly contradicts the notion of public membership which is not based upon the holding of a

particular office, but, instead, is based upon a need to represent the public at large. Since there is no indication in the resolution from which office an ex officio member would come, it seems clear that the intent is to include three public members rather than three ex officio members.

A public member of a body is generally considered to be an individual who is not a member of the group regulated and does not have a direct financial interest in the activity being regulated or considered by the body. (See AS 08.01.025). A public member of the joint special committee under this reasoning cannot be a member of the legislature, an employee of the legislature, or a person with a direct financial interest involving the legislature, for example, a person under contract to perform services for the legislature. However, a person from another branch of state government, such as a judge, would probably have so few direct ties to the legislature that the person could qualify as a public member of this committee.

3. Can the public members vote? Since the Uniform Rules do not address the question of public members on legislative committees no guidance is provided by the Rules on this. The resolution itself provides for public members and does not indicate that these are to be members with fewer rights than the other members, although the resolution could have done so. Therefore, the best interpretation appears to be that the public members have all the rights of other members, including the right to vote.

4. What is the quorum for the Joint Special Committee on Legislative Salaries? There are nine members on the committee: three senators, three representatives, and three public members. Mason's Legislative Manual, Sec. 500(2) provides

The majority of the membership of a body constituted of a definite number of members, constitutes a quorum for the purpose of transacting business.

Sec. 502(3) provides further

Where the number required by statute or other rule to constitute a quorum is fixed at a definite number the diminution of the members of the body will not change the number necessary for a quorum.

Senator Mitch Abood
June 13, 1895
Page 3

Therefore, a quorum for the committee is 5 members, even if public members have not yet been selected or if a vacancy should occur for another reason. A particular number of senator members and representative members is not required to constitute a quorum. Sec. 665 provides in part

A quorum of a joint committee is a majority of its combined membership and when a quorum is present a majority of that quorum is capable of transacting business.

TEC:ojb
J15/034

STATE OF ALASKA THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

MEMORANDUM

August 12, 1985

SUBJECT: Relation of initiative petition and statute

TO: Frank Bickford
Legislative Salary Commission

FROM: Billy G. Berrier *BGB*
Director
Division of Legal Services

You have asked whether a vote on an initiative may be precluded by enactment of legislation and if so what is required in the statute.

If before the election substantially the same measure has been enacted the initiative petition is void.

Section 4 of Art. XI of the Constitution of the State of Alaska provides:

SECTION 4. INITIATIVE ELECTION. An initiative petition may be filed at any time. The lieutenant governor shall prepare a ballot title and proposition summarizing the proposed law, and shall place them on the ballot for the first statewide election held more than one hundred twenty days after adjournment of the legislative session following the filing. If, before the election, substantially the same measure has been enacted, the petition is void.

The determination of whether the enactment voids the petition is made by the lieutenant governor with formal concurrence of the attorney general under AS 15.45.210 which provides:

Sec. 15.45.210. DETERMINATION OF VOID PETITION.

If the lieutenant governor, with the formal concurrence of the attorney general, determines that an act of the

Frank Bickford
August 12, 1985
Page 3

broader the reach of the subject matter, the more latitude must be allowed the legislature to vary from the particular features of the initiative.

The court in that case also held constitutional the delegation of the power to determine whether the petition was void to the lieutenant governor and the attorney general.

The case was decided on a 3 to 2 vote with the dissent taking the position that the act was not substantially the same measure.

A copy of the case is enclosed.

It is clear that an act need not be identical in order to void a petition. However, the degree of deviation allowed is a factual matter that must be determined by comparing the petition and the statute enacted.

BGB:ojb
J16/029

Enclosure

legislature that is substantially the same as the proposed law was enacted after the petition had been filed, and before the date of the election, the petition is void and the lieutenant governor shall so notify the committee.

The question of what constitutes "substantially the same measure" has been before our Supreme Court in Warren v. Boucher, 543 P.2d 731 (Alaska 1975). In that case an initiative regarding campaign financing had been filed and an act was passed in the session following the filing on the same subject. The court held that the act, despite some differences, voided the petition saying:

The words "substantial" or "substantially" are relative, inexact terms. Their meaning is quite elusive.

Application of Scroggins, 103 Cal. App.2d 281, 229 P.2d 489 (1951). The meaning of such terms can be derived only by reference to all the circumstances surrounding the context in which they are used. Atcheson, T. & S.F. Ry. v. Kings county Water District, 47 Cal.2d 140, 302 P.2d 1, 3 (1956). So here, we believe that the term "substantially the same measure" must be viewed against the total structure contemplated in Art. XI of our constitution in the matter of direct legislation.

It is clear that the legislative act need not conform to the initiative in all respects, and that the framers intended that the legislature should have some discretion in deciding how far the legislative act should differ from the provisions of the initiative. The question, of course, is how great is the permitted variance before the legislative act becomes no longer substantially the same.

Upon reflection we have concluded that the legislature's discretion in this matter is reasonably broad. If in the main the legislative act achieves the same general purpose as the initiative, if the legislative act accomplishes that purpose by means or systems which are fairly comparable, then substantial similarity exists. It is not necessary that the two measures correspond in minor particulars, or even as to all major features, if the subject matter is necessarily complex or if it requires comprehensive treatment. The

MEMORANDUM

August 16, 1985

Subject: Summary of August 12, 1985 Billy Berrier Memo

From: Frank Bickford
Legislative Salary Committee

The determination of whether the enactment voids the petition is made by the lieutenant governor with formal concurrence of the attorney general under AS 15.45.210 which provides:

Sec. 15.45.210 DETERMINATION OF VOID PETITION.

If the lieutenant governor, with the formal concurrence of the attorney general, determines that an act of the legislature that is substantially the same as the proposed law was enacted after the petition had been filed, and before the date of the election, the petition is void and the lieutenant governor shall so notify the committee.

If in the main the legislative act achieves the same general purpose as the initiative, if the legislative act accomplishes that purpose by means or systems that are fairly comparable, then substantial similarity exists. It is not necessary that the two measures correspond in minor particulars, or even as to all major features, if the subject matter is necessarily complex or if it requires comprehensive treatment. The broader the reach of the subject matter, the more latitude must be allowed the legislature to vary from the particular features of the initiative.

It is clear that an act need not be identical in order to void a petition. However, the degree of deviation allowed is a factual matter that must be determined by comparing the petition and the statute enacted.

STATE OF ALASKA

AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

MEMORANDUM

DATE: December 19, 1984

TO: Don Fisher
Deputy Executive Director
Legislative Affairs Agency

FROM: Gerald L. Wilkerson *GW*
Legislative Auditor
Division of Legislative Audit

SUBJECT: Legislative Reimbursement

Per your memo dated December 17, 1984, the following summary of direct reimbursements made by this Division to legislators is for the calendar year 1984.

LEGISLATOR	TRANSPOR- TATION	HOTEL	MEALS	TOTAL
Sen. Janice O. Faiks	\$ 14.60	\$	\$ 7.00	\$ 21.60
Sen. Bettye Fahrenkamp		521.94	231.00	752.94 *
Rep. Robert H. Bettisworth		512.65	169.00	681.65 *
Rep. John J. Cowdery		470.73	169.00	639.73 *
Rep. Terry Martin	220.00			220.00
Rep. Michael W. Miller	6.00		40.00	46.00
Rep. Jim Duncan	33.00		56.00	89.00

} See below

If I can be of further assistance to you, please don't hesitate to call.

cc: Pam Calhoon, Manager
Division of Administrative Services
Legislative Affairs Agency

Esther Adams, Administrative Assistant
Division of Legislative Audit

*Thank, these totals with an * beside them are especially high because they include overseas trip to Japan & Korea.*

Edema



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y. State Capitol
Juneau, Alaska 99811
(907) 465-3991

February 5, 1985

MEMORANDUM

TO: Representative John Sund

FROM: Rob Waldman *RW*
Legislative Analyst

RE: Legislative Salaries and Expense Allowances
Research Request 85-145

You requested this agency to provide information on two issues:

- the adoption date of a \$4,000 expense allowance for legislators; and
- the per diem limitations imposed by the proposed initiative on legislative salary and per diem.

Expense Allowance

Alaska Statute 24.15.030 states that each member of the legislature is entitled to receive an annual allowance for postage, stationary, stenographic services and other expenses. Allowances amounting to \$4000 became effective in 1970. These allowances have not increased since that date. The following table provides the legislative history of expense allowances:

<u>Session Law</u>	<u>Action</u>
\$3 ch 193 SLA 1961	Established AS 24.15.030 (Additional Allowances) and prescribed \$300 as the annual allocation.
\$1 ch 8 SLA 1970	Increased the allowance to \$1,000.
\$10 ch 193 SLA 1970	Increased the allowance to \$4,000.
\$8 ch 263 SLA 1976	Substituted "prescribed in accordance with AS 39.23" for the specific figure of \$4,000.
\$37 ch SLA 1980	Repealed AS 39.23, thereby eliminating the commission responsible for determining the allowance.

Representative Sund
February 5, 1985
Page Two

With the repeal of AS 39.23 in 1980, the legislature eliminated the Alaska Salary Commission. Among other duties, the commission was responsible for prescribing the amount of the expense allowances mentioned in AS 24.15.030. According to Bill Berrier, Director of the Legal Services Division of the Legislative Affairs Agency, the repeal of AS 39.23 did not repeal the allowances or prevent the distribution of the allowances. Although the commission no longer functions, the \$4,000 allowance will stand until the legislature either specifically sets a new dollar figure or develops a new method to prescribe allowances.

Legislative Per Diem

The initiative "An act relating to the compensation for State legislators" will reestablish legislative per diem (legislative per diem was repealed by 7 ch SLA 1983) and amend AS 24.15.020 to decrease the salary of legislators. This initiative does not breach the topic of changing the methodology for determining per diem levels for State workers. Under regulatory authority set out in AS 39.20.160 (as amended), per diem for State officials and employees of State agencies is prescribed and determined by the Commissioner of Administration in consultation with the heads of agencies concerned.

Per diem levels can be raised following enactment of this initiative.¹ Per diem rates can be raised by the Commissioner of Administration at any time if the commissioner determines that increases are justified. In addition, methods for prescribing per diem rates can be modified by amending the initiative or by session law reinstating or amending statutes addressing legislative per diem.

I hope that this review is useful. If you need additional analysis or would like to discuss the initiative or HB 48 and its effects, please call.

RW

¹Enactment of HB 48 (or similar legislation reinstating legislative per diem) would make the initiative void (Article XI, Sec. 4, Alaska Constitution). The discussion also applies to the enactment of HB 48.

Compensation and Turnover in State Legislative Lower Chambers

James R. Oxendale, Jr.*

Abstract

It has long been assumed by students of U.S. state legislatures that there is a strong relationship between levels of compensation and rates of turnover in those bodies. This paper analyzes the relationship between compensation and turnover in forty-one state legislative lower chambers in 1976. No correlation between salary levels and turnover rates existed in these states in 1976. Given the possibility that a bias may arise from using a single year's data, data from 1968 are used to test the hypothesis. The data from the states used in this study failed to support a general hypothesis that increasing compensation will lower voluntary retirement from state legislatures.

High rates of turnover among legislators have long troubled writers and reformers concerned with state government in the United States [1, pp. 8-10; 3, p. 40; 5, pp. 21-31; 6; 7, pp. 13-24; 8; 11]. Average turnover per session in state lower houses between 1963 and 1971 was 30.4 percent. From Charles Hyneman's writings in the late 1930s to William Keefe and Morris Ogul's speculations of the 1970s, a recurring suggestion for reducing voluntary retirement from the state legislature has been to increase legislative compensation. Keefe and Ogul put the thesis persuasively:

The best short-run answer for breaking the turnover cycle lies, we believe, in what is by now a part of the "conventional wisdom" of political scientists. The tenet holds that a seat in the legislature may become a fulltime career for members if they are given a salary that is

more in line with those available in business and professions [6, p. 130].

Hyneman made essentially the same point in 1938. He wrote, "I am of the opinion that the chief reason why legislators find one or more terms enough is a financial one; their experience proves . . . that it is money out of the pocket to serve in the legislature" [5, p. 30]. Hyneman, Keefe and Ogul, and numerous others assume that a relationship exists between low compensation and voluntary turnover. Voluntary turnover means a decision to terminate one's career in the legislature; involuntary turnover means that caused by election loss or death.¹ It is assumed that if compensation were to rise, then turnover would decrease.

This paper looks at voluntary turnover and compensation in forty-one state lower chambers during the 1975-76 session and attempts to discover whether a relationship exists between these two variables. If indeed states with higher levels of compensation have lower turnover rates than do states with lower compensation, then one could conclude that compensation rates appear to influence turnover. Data on this issue is presented in Table 1 and summarized in Table 2.

Tables 1 and 2 do not support an assertion that higher compensation will result in lowered turnover. Using Spearman's coefficient of rank correlation, the correlation between turnover and compensation is +0.24. Statistically there is no correlation between compensation and turnover for the states for which data are available in 1976.

California and New Hampshire have the same rates of turnover, yet California pays over \$65,000 more bi-

*Assistant Professor of Political Science, West Virginia Institute of Technology, Montgomery

¹When the word turnover is used by itself in this paper, it applies only to voluntary turnover.

ennially than does New Hampshire. Indeed, five of the top ten states in compensation are among the states listed in the lower half of Table 1.

TABLE 1

Voluntary Turnover and Compensation for Lower House Legislators 1975-1976 Session

State	Percentage Voluntary Turnover	Biennial Compensation*
Hawaii	4	\$30,000
Nevada	8	7,680
Arizona	9	19,170
Michigan	9.1	38,000
Ohio	10	35,000
Virginia**	10	10,950
Iowa	11	21,580
Kentucky**	11	12,350
Mississippi	11	25,400
New Mexico	11	3,600
Georgia	11	16,640
North Carolina	12	18,300
Delaware	12	19,500
Oklahoma	12	22,620
Wisconsin	12	38,181
North Dakota	12	5,700
Oregon	13	20,010
Minnesota	14	23,855
South Dakota	14	6,575
Nebraska	14	10,000
Colorado	15	15,200
Indiana	16	23,565
Missouri	16	16,800
New York	16	47,000
Rhode Island	16	600
Connecticut	17	13,000
Pennsylvania	17	31,200
Alabama	18	8,100
Kansas	18	14,400
Texas	18	18,600
Illinois	19	45,976
Maine	19	7,825
California	20	66,300
Florida	20	24,000
New Hampshire	20	200
Tennessee	20	19,400
Idaho	21	7,800
Utah	23	3,200
West Virginia	23	12,900
Louisiana	24	16,500
Montana	27	6,954

*Compensation is computed as it generally is in the *Book of the States*, that is, compensation scales are taken from those offered during the 1975-76 session. In those states which pay per diem, the current rates are multiplied by the number of days in the 1973-74 session, since the total days of the session are not yet available. Compensation figures are derived from salary, per diem, and unvouchered compensation paid during or between sessions. Compensation for special sessions or vouchered expenses is not included.

**Turnover rates are taken from 1975.

High levels of compensation may have helped lower turnover in states like Hawaii which is eighth in salary and lowest in turnover or Michigan which is fifth in salary and fourth in turnover. At the same time, low compensation may have caused high levels of turnover in states like Montana or Utah which have extremely low levels of compensation and very high rates of turnover.

The above data could be criticized on the grounds that turnover patterns from a single year might vary from traditional norms. In order to adequately understand the impact of a compensation policy on lowering turnover, it is necessary to compare a given state's current turnover at a higher compensation with past turnover at a lower compensation.

TABLE 2

Annual Compensation and Voluntary Turnover for Lower House Legislators, 1975-1976

	Less than \$15,000	\$15,000 or more
Percentage Voluntary Turnover	16	4
	15% or more	17

Unfortunately, few studies are available which distinguish between voluntary and involuntary turnover on a longitudinal basis. The present research is based on voluntary turnover data from the twenty-two states for which the 1976 data were available. The year 1968 was chosen because it provides an essentially tranquil election after the uncertainty created by *Reynolds v. Sims*, 377 U.S. 533, 12 L. ed. 2d. 506, 84 S.Ct. 1362. Forty states² reapportioned their legislatures between 1964 and 1966. Obviously such major shifts in legislative districts could have artificially created high numbers of voluntary turnover because of fear of running in new districts. Therefore, the 1968 election was chosen because it, like the 1976 election, had legislators seeking reelection from the same district in which they were elected. If the traditional hypothesis concerning the impact of compensation on turnover were to be supported, then those states which had the greatest increases in compensation between 1968 and 1976 should have had the greatest decreases in turnover.

Table 3 compares compensation and turnover between 1968 and 1976. The results are mixed. Using percentage changes in compensation and turnover, the rank correlation, $r = +0.42$, indicates a slightly positive relation-

²Reapportionment figures are taken from *Book of the States*, 1968-69, p. 67.

TABLE 3

**Relationship between Voluntary Turnover and
Compensation for Legislators Who Retired in
1968 and 1976**

State	Percentage Voluntary Turnover	1967-68 Biennial Compensation	Percentage Voluntary Turnover	1975-76 Biennial Compensation
California	3.0	\$37,922	20.0	\$66,300
Connecticut	16.4	4,750	17.0	13,000
Florida	23.5	6,100	20.0	24,000
Georgia	18.0	10,525	11.1	17,640
Hawaii	15.7	8,220 or 9,185	4.0	30,000
Idaho	18.5	4,341	21.4	7,800
Illinois	12.0	18,000	19.2	45,976
Iowa	38.0	3,560	11.0	21,580
Kansas	19.2	7,150	18.4	14,400
Maine	39.0	2,224	19.1	7,825
Minnesota	9.0	11,042 or 11,763	14.0	23,855
Missouri	6.0	11,500	16.0	16,800
Nevada	12.5	3,900	8.0	7,680
New Mexico	54.3	1,800	11.0	3,600
New York	9.3	36,000	16.0	47,000
Oklahoma	11.0	10,220	12.0	22,620
Oregon	23.3	11,760	13.3	20,010
Pennsylvania	12.4	14,800	17.2	31,200
Tennessee	34.0	6,300	20.8	19,400
Virginia	16.0	3,300	10.0	10,950
West Virginia	29.0	3,000	23.0	12,900
Wisconsin	14.0	18,600 or 20,490	12.0	38,181

ship between the two variables. However, using absolute changes in compensation and turnover percent, the rank correlation, $r = -0.43$, indicates a slightly negative relationship. All twenty-two states had changes in compensation. Increases varied from about \$2,000 to about \$30,000 per biennium; however, not all states had corresponding turnover reductions. Indeed, some of the results appear to be rather confusing if it is assumed that the major cause for turnover is insufficient compensation. For example, between 1968 and 1976 New Mexico increased legislative compensation from \$1,800 to \$3,600 biennially. This was accompanied by a turnover drop of 43 percent. It seems unlikely that an \$1,800 compensation increase over an eight-year period is sufficient inducement to result in a 43 percent decline in turnover. In these situations, nonmonetary factors must be examined in attempting to understand the causes for legislative retirement.

While compensation may not have affected turnover in all states, in Hawaii, Tennessee, and particularly Iowa, salary increases may be the major causes for reduced turnover because major reductions in turnover occurred concomitantly with major increases in compensation. However, there are no clear patterns for the entire group. California and Illinois had major increments in compensation with

simultaneous increases in voluntary turnover. Indeed, the five states which had the greatest increases in compensation also had increased turnover. The data from the above states offer no support to a general hypothesis that if compensation rises, even at quite impressive rates, turnover will decline. Turnover may very well lessen, but there is no clear evidence to indicate that it will, or that, if it does, it does so because of a compensation policy.

A Speculative Overview of Turnover and Salary Questions

When considering the problem of legislative turnover at the state level, several factors should be taken into account. Some of these have been detailed elsewhere [3, 4, 6, 8] and will not be considered in this brief summary.

Two important variables which influence turnover have not been given the attention they deserve:

1. For most new members of the state legislature, especially the lower chamber, this is their entry into politics [13]. Invariably there is the problem of adjustment. For some the psychological adaptation is difficult, and this frequently results in voluntary retirement. According to Barber, some legislators are too rigid to adapt; others cannot accept a beginner's place in the system; and still others cannot adjust to the hectic schedule or the instrumental rather than consummatory social relations in the legislature [1, pp. 151-154; 8]. For these legislators salary is of little or no importance and rarely inhibits their decision to retire.

2. Many potential politicians find the lower house of the state legislature a good place to experiment with politics. Most state legislatures have limited sessions, and this allows a potential politician to minimize the interruption from a full-time occupation when experimenting with politics. Additionally, a legislative district of the lower house is frequently small enough for a newcomer to conduct a campaign without necessarily incurring the major expenses needed for other state, or even state senatorial, positions. Thus, the lower house of the state legislature is frequently well-suited for young and ambitious legislators to experiment with politics without seriously jeopardizing their full-time careers or incurring major debts when running for office. If they find legislative politics rewarding, they will probably remain in the lower chamber only temporarily, since they seek to move up politically. As they see it, the lower chamber is their initiation into politics and not their final destination [1, pp. 67-115; 8, pp. 147-200]. Thus, these legisla-

tors also rank compensation of slight importance when they consider leaving the lower chamber.

Conclusion

This research offers no general support to the belief that a close relationship exists between compensation and turnover. Generally speaking, states with higher levels of compensation do not have lower voluntary turnover than do states with lower levels of compensation; nor do the results indicate that states which increase compensation will ipso facto reduce their rates of turnover. In the states for which comparison data were available, compensation levels increased in all of them, but turnover both increased and decreased. In some states, compensation increases may possibly have helped to lower turnover, but in others, despite major increases in compensation, voluntary retirement increased. Turnover is a complex phenomenon induced by numerous factors of which compensation is only one, and to many considering retirement, it may be of relatively slight importance.

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Sept. 1, 1979 C.Q.

	House	Senate
Democrats	276	59
Republicans	159	41
Vacancies	0	0

SENATE	HOUSE
Passed 7/23	Signed 7/26 (PL 96-39)
Foreign Relations, Armed Services hearings continue in September	
Finance markup resumes 8/5	
Senate action 7/17 on HRC authorization bill	
Rules hearings postponed	
Finance markup resumes 8/5	
Passed 8/30	
Foreign Relations hearings on ISA 8/19-21	
Passed 7/23	Signed 8/14 (PL 96-38)
Human Resources approved 5/10, Finance reported 7/12	
Commerce hearings to resume 9/6	

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CQ Financial Disclosure

Outside Earnings Swell Wealth of Congress

Senators think of themselves as members of the "upper chamber" of Congress. Their personal financial disclosures show that most senators are upper income as well.

The Senate clearly is a club of the wealthy. Possibly a third of the 100 senators can claim net worths of \$1 million or more. Moreover, two-thirds of the senators count on outside incomes of \$20,000 or more to supplement their \$57,500 congressional salaries.

The House, too, has its share of wealthy members. Probably 30 or more House members are millionaires, and nearly 100 have outside incomes of more than \$20,000. But the House is the lower chamber of Congress when it comes to personal finances, because the proportion of wealthy members is much lower in the House than in the Senate.

This year, for the first time ever under the 1978 Ethics in Government Act, all members of Congress were required to publicly disclose their sources and general amounts of income for the previous year—1978.

Last year members of both houses of Congress disclosed all their financial holdings for the first time. Previously, only House members had been required to disclose some of their financial interests.

The new disclosures revealed, in detail never before available, that most members of Congress are financially much better off than most Americans. Their \$57,500 congressional salaries alone put them far above the economic state of most workers. But the difference goes beyond this. Most members of Congress would be financially secure with other income and financial interests even without their government salaries.

Financial Interests

With few exceptions, members of Congress were successful lawyers or businessmen before coming to Washington. Most members kept and expanded their lucrative

With few exceptions, members of Congress were successful lawyers or businessmen before coming to Washington. Most members kept and expanded their lucrative financial investments after election.

financial investments after election to Congress. Many of the wealthiest members of Congress, however, inherited their fortunes.

The personal financial interests of members of Congress span the world of business. But far and away the most prevalent are investments in real estate, banks and agriculture, and stocks in major businesses. Most popular among members are blue chip stocks such as IBM, General Electric, General Motors and American Telephone and Telegraph. Only three members reported stock holdings in the financially troubled Chrysler Corp. (Box, p. 18361).



All but a handful of members own at least a few stocks or bonds, in addition to bank savings accounts and personal residences. The heaviest financial burden for many members is maintaining two residences: one in the home state or district, and one in the Washington, D.C., area. Some members rent their residences back home and stay in hotels or with relatives when visiting constituents. In 1977, some members said that heavy expense helped justify the congressional pay raise from \$44,000 to \$57,500.

Outside Jobs

A dwindling number of members continued to receive sizable salaries for part-time jobs back home. But a new earned income limit in the House has forced most of those members to abandon their jobs, or at least to seek new ways to receive the same income. Several members apparently have tried to avoid the income limit by changing their income from "salaries" to "dividends" or some other unearned income. (Income limit, p. 1841).

Although more than half of all members of Congress are lawyers by training, most have given up their private practices. (Lawyers in Congress, p. 1832).

Senate rules virtually prohibit legal practices by senators. Only 23 House members who served in Congress during 1978 actively practiced law. The new earned income

The preparation of this report was directed by John Felton, with principal research assistance from Andrea Yank and other assistance from Brian B. Arieff, Joan Cruby, Brigitte Roussin, Bob Lovernash and Dave Tarrant.

Sept. 1, 1979 - PAGE 1820

1979

Index to Special Report

For this special report, Congressional Quarterly examined the financial disclosure reports, covering 1978, for all 535 members of Congress and the 100 non-voting House members.

This report is in two major parts: stories and charts on specific aspects of the disclosures, and lists of honoraria paid to representatives and senators, and financial interests of representatives and senators.

The following is a guide to the report:

- **The Wealth of Congress**, p. 1823, summarizes CQ's findings. Most members of Congress are financially much better off than most other Americans.
- **Honoraria Payments**, p. 1827, Hundreds of organizations, especially lobbies, pay members of Congress for making speeches. This story explains the practice.
- **The Richest Members**, p. 1834, contains brief profiles of the 30 members of Congress who may have had the highest incomes for 1978.
- **Draw of the Conventions**, p. 1836, shows how the U.S. Chamber of Commerce drew 10 members of Congress to its 1978 annual convention.
- **House's Top Honoraria Collectors**, p. 1827, lists the 25 House members who earned the most in honoraria in 1978.
- **Senate's Top Honoraria Collectors**, p. 1827, lists the 25 senators who earned the most in honoraria in 1978.
- **Top Honoraria Providers**, p. 1826, lists the 15 organizations that gave the most in honoraria to members of Congress in 1978.
- **Earned Income Evasion**, p. 1841, Starting this year House members are limited to \$8,625 in outside earned income. This story shows how members are coping with the limit, and how some members are trying to get around it.
- **Lawyers in Congress**, p. 1832, lists all members of Congress who received legal fees in 1978. With each passing year, fewer members engage in part-time legal practices.
- **Chrysler Interests**, p. 1836, indicates that only three members of Congress reported financial interests in the troubled Chrysler Corp.
- **Outside Income Totals**, lists 1978 outside income for all members of Congress. The House chart is on p. 1837, the Senate chart starts on p. 1840.
- **Outside Jobs**, lists all outside business positions for all members of Congress. The Senate list starts on p. 1844, the House list starts on p. 1845.
- **Disclosure that Doesn't Disclose**, p. 1830, examines weaknesses of the financial disclosure system.
- **Disclosure Requirements**, p. 1828, lists the legal requirements of financial disclosure for members.
- **Honoraria**, lists all honoraria paid to all members of Congress, broken down by the types of organizations making the payments. The House list starts on p. 1843; the Senate list starts on p. 1862.
- **Financial Interests**, lists the financial interests of members of Congress in 14 categories, and shows which members have interests that might be affected by their committee responsibilities. The House list starts on p. 1871; the Senate list starts on p. 1884.

Senate Finance Committee Chairman Russell B. Long, D-La., whose committee wrote key energy tax legislation worth \$1.2 billion in oil and gas property. His co-sponsors in 1978 topped \$100,000. Other members of his committee with oil holdings are: Fred M. Bentsen, D-Texas; Harry F. Byrd Jr., D-Va.; William V. Roth Jr., R-Del.; Danforth and Heinz.

Danforth is an example of a wealthy member whose widespread financial interests are affected by virtually every bill before Congress. His personal and family trust portfolios include stocks in defense contractors, oil companies, communications firms, banks and several other businesses that are directly concerned with federal laws and regulations. Danforth sits on two committees—Finance and Commerce, Science and Transportation—that write much of the legislation that affects business.

Some committees are heavily weighted with members who have personal interests in legislation before those committees.

In the House, for example, 18 of the 43 members of the Agriculture Committee own farms or other farm interests, including: Berkeley Bedell, D-Iowa; David R. Bowen, D-Mass.; Glenn English, D-Okl.; Floyd Eithian, D-Ind.; Charles F. Grassley, R-Iowa; Tom Hagedorn, R-Minn.; Kent Hance, D-Texas; Jerry Huckaby, D-La.; James P. Johnson, R-Colo.; Ed Jones, D-Tenn.; Richard Kelly, R-Fla.; Ron Marlenee, R-Mont.; Charlie Rose, D-N.C.; Ike Skelton, D-Mo.; Steven D. Symms, R-Idaho; Charles W. Stenholm, D-Texas; James Weaver, D-Ore.; and Charlie Whitely, D-N.C.

One possible way of eliminating at least the appearance of a conflict of interest is to establish a blind trust, completely controlled by independent trustees. But few members have taken that step.

Only three senators have blind trusts: Edward M. Kennedy, D-Mass.; Abraham Ribicoff, D-Conn.; Howard M. Metzenbaum, D-Ohio. In the House, Margaret M. Heckler, R-Mass., and Steven J. Solarz, D-N.Y., said they have part of their holdings in blind trusts. The wife of Robert Dole, R-Kan., also has a blind trust.

Millionaires

Because the disclosure system is so vague, especially in the House, it is impossible to determine exactly how many millionaires serve in Congress. But it is possible to make a general determination of which members probably have net worths of \$1 million or more.

The two wealthiest senators are Pennsylvania's Heinz, heir to the H. J. Heinz Co. fortune, and Missouri's Danforth, an heir to the Ralston Purina Co. family fortune.

According to rough calculations based on their disclosures, Heinz could be worth at least \$36 million and possibly more than \$50 million. Danforth's net worth could be worth between \$5 million and \$17 million.

One senator, Louisiana's Long, revealed a net worth of \$2.8 million.

Other senators who qualify as millionaires are: William L. Armstrong, R-Colo.; Bentsen of Texas; Rudy Boschwitz, R-Minn.; Byrd of Virginia; Dennis DeConcini, D-Ariz.; John Glenn, D-Ohio; Harry Goldwater, R-Ariz.; S. I. (Sam) Hayakawa, R-Calif.; Nancy Landon Kassebaum, R-Kan.; Kennedy of Massachusetts; Howard M. Metzenbaum, D-Ohio; Claiborne Pell, D-R.I.; Charles H. Percy, R-Ill.; Richard Stone, D-Fla.; Talmadge of Georgia; Malcolm Wallop, R-Wyo.; John W. Warner, R-Va.; and Lowell P. Weicker Jr., R-Conn.

Top Honoraria Providers

Following is a list of the 15 organizations that gave the most in honoraria to members of Congress in 1978. The figures in parentheses indicate the number of senators and representatives who received honoraria from each group.

American Bankers Association (16)	\$28,000
Grocery Manufacturers of America (18)	\$20,750
Brookings Institution (57)	\$10,900
Food Marketing Institute (13)	\$10,000
General Electric Co. (11)	\$15,494
U. S. Chamber of Commerce (26)	\$14,945
Pfizer Inc. (18)	\$14,285
Outdoor Advertising Association (12)	\$14,330
AFL-CIO (9)	\$12,500
United Jewish Appeal (6)	\$12,000
Brown & Williamson Tobacco Co. (8)	\$10,500
Mortgage Bankers Association (6)	\$10,500
Washington Discussion Group (11)	\$10,500
Distilled Spirits Council (10)	\$10,285
American Mining Congress (12)	\$10,000

Other senators who may qualify as millionaires include Howard H. Baker Jr., R-Tenn.; Henry L. Bellmon, R-Okla.; Bill Bradley, D-N.J.; Howard W. Cannon, D-Nev.; Lawton Chiles, D-Fla.; Thomas F. Eagleton, D-Mo.; Mark O. Hatfield, R-Ore.; Charles McC. Mathias, R-Md.; Sam Nunn, D-Ga.; Ribicoff of Connecticut; and Adlai Stevenson, D-Ill.

Two financially secure, but non-millionaire, senators listed their exact net worths: Daniel Patrick Moynihan, D-N.Y. (\$350,000) and Ernest F. Hollings, D-S.C. (\$437,163).

The richest House member probably is Fred Richmond, D-N.Y., who is the majority stockholder in Walco National Corp., a manufacturer of small machinery and electrical equipment. Richmond owns approximately 748,000 shares of Walco stock, valued at more than \$10 million.

Other probable House millionaires are Glenn M. Anderson, D-Calif.; Jonathan B. Bingham, D-N.Y.; Buford Bolling, D-Mo.; Brooks of Texas; Broshill of North Carolina; Tim Lee Carter, R-Ky.; James C. Cleveland, R-N.H.; James M. Collins, R-Texas; Robert W. Daniel Jr., R-Va.; Millicent Fenwick, R-N.J.; Bill Green, R-N.Y.; Helzel of Hawaii; Robert J. Lagomarsino, R-Calif.; Jim Leach, R-Iowa; Stewart B. McKinney, R-Conn.; Richard L. Ottenger, D-N.Y.; Proyer of North Carolina; James H. Glimony; Quillen, R-Tenn.; William H. Royer, R-Calif.; Harold Runnels, D-N.M.; Harold S. Sawyer, R-Mich.; James H. Schreier, D-N.Y.; and Portney H. (Pete) Stark, D-Calif.

Other House members who may be millionaires include Hedell of Iowa; William E. Dannemeyer, R-Calif.; Robert H. Mollohan, D-W.Va.; Bill Nelson, D-Fla.; Ray Roberts, D-Texas; Gene Snyder, R-Ky.; James Weaver, D-Ore.

The Non-Wealthy

In contrast to the millionaires, a handful of members of Congress reported little or no outside income and virtually nothing in the way of financial assets.

Sen. Spark M. Matsunaga, D-Hawaii, for example, said he had no outside business earnings, aside from \$7,000

in December. His only financial asset was 100 shares of Washington, D.C., purchased in 1965 for \$50,000.

Law. August D. Wex, said he had no outside business earnings and no financial assets. He did accept \$1,000 in honoraria payments.

Generally, the least wealthy members are young House members in their first or second terms. An example is Jacob F. Hanover, D-Mich., a Vietnam veteran in his second term, who reported no outside income and no holdings.

Spouses

Congressional rules require members to disclose the financial interests of their spouses, unless they do not benefit from or maintain control over their spouses' holdings. Members also were required to reveal the sources, but not the amounts, of their spouses' incomes.

Although most members did disclose information about their spouses, a few refused to do so. Senators, but not House members, were asked to indicate if they withheld information about their spouses.

One senator who refused to disclose the financial assets of his spouse was John Tower, R-Texas. He said, "I have no knowledge whatever" of the estate of his reportedly wealthy wife Lalla Cummings Tower, whom he married in 1977.

Virginia's senator, Warner, said he has no control over the property of his wife, actress Elizabeth Taylor. Warner is a millionaire by virtue of a divorce settlement with his previous wife, heiress Catherine Mellon.

Other senators who did not report the holdings of their spouses were Wendell H. Ford, D-Ky., and Jacob K. Javits, R-N.Y.

The wives of at least five members are congressional staff aides. Four work directly for their husbands.

Elise J. Hawkins, the wife of Rep. Augustus F. Hawkins, D-Calif., works for her husband in two paying jobs. As a clerk on his personal staff, she earned approximately \$5,624 in 1978, according to clerk of the House records. She earned approximately \$22,200 as a clerk for the House Administration Committee's printing subcommittee, which Hawkins chairs.

Martha A. Ford, the wife of Rep. William D. Ford, D-Mich., is an assistant clerk for the House Administration

Financial Disclosure in Congress



Committee. She earned \$12,000 in that post in 1978, according to House records. Ford is not a member of the committee.

Vyonne Rousselot is executive secretary on the staff of her husband, Rep. John H. Rousselot, R-Calif. According to clerk of the House records, she was paid at the rate of \$22,000 in 1978.

Jeanette S. Williams is a senior staff member on the Senate Labor and Human Resources Committee, chaired

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Top Honoraria Collectors in Senate and House

Senate

The 1976 Federal Election Campaign Act limited to \$25,000 annually the amount a senator could earn in honoraria for speeches and articles. But it said a senator could earn over \$25,000 if he used some of his earnings to defray out-of-pocket expenses or donated a portion to charity. In 1978, the top 25 earners of honoraria in the Senate were:

Richard G. Lugar, R-Ind.	\$38,500*
Jake Garn, R-Utah	\$27,814*
Howard H. Baker Jr., R-Tenn.	\$27,750*
Daniel Patrick Moynihan, D-N.Y.	\$27,388*
Robert Dole, R-Kan.	\$27,000*
Jacob K. Javits, R-N.Y.	\$26,085**
Robert C. Byrd, D-W.Va.	\$25,000
Ernest F. Hollings, D-S.C.	\$25,000
Henry M. Jackson, D-Wash.	\$25,000*
Edmund S. Muskie, D-Maine	\$25,000*
William Proxmire, D-Wis.	\$25,000
Harrison A. Williams Jr., D-N.J.	\$25,000
George McGovern, D-S.D.	\$24,995
Frank Church, D-Idaho	\$24,975
Alan Cranston, D-Calif.	\$24,926
John C. Culver, D-Iowa	\$24,924
Orin G. Hatch, R-Utah	\$24,875
Herman E. Talmadge, D-Ga.	\$24,750
Richard S. Schweiker, R-Pa.	\$24,749
Donald W. Riegle Jr., D-Mich.	\$24,632
J. Bennett Johnston, D-La.	\$24,350
Harry Goldwater, R-Ariz.	\$24,250
Joseph R. Biden Jr., D-Del.	\$24,000
Bob Packwood, R-Ore.	\$24,000
Abraham Ribicoff, D-Conn.	\$23,760**

* Senator donated all or a portion of his honoraria to charity.

** Senator used a portion of his honoraria to defray out-of-pocket expenses.

House

The 1976 Federal Election Campaign Act limited to \$25,000 annually the amount a representative could earn by giving speeches or writing articles. In 1978, the top 25 House earners of honoraria were:

Thomas J. Ashby, D-Ohio	\$25,000
James C. Corman, D-Calif.	\$25,000
Ken Holland, D-S.C.	\$25,000
John M. Murphy, D-N.Y.	\$25,000
Dan Rostenkowski, D-Ill.	\$25,000
Al Ullman, D-Ore.	\$25,000
Guy Vander Jagt, R-Mich.	\$25,000
Jack F. Kemp, R-N.Y.	\$24,950
Henry S. Reuss, D-Wis.	\$24,950
Jim Wright, D-Texas	\$24,750
Philip M. Crane, R-Ill.	\$24,450
John J. Rhodes, R-Ariz.	\$24,220
Thomas P. O'Neill Jr., D-Mass.	\$23,500
John D. Dingell, D-Mich.	\$19,190
Shirley Chisholm, D-N.Y.	\$18,983
Morris K. Udall, D-Ariz.	\$18,922
Barry M. Goldwater Jr., R-Calif.	\$16,800
Frank Thompson Jr., D-N.J.	\$16,800
William D. Ford, D-Mich.	\$16,450
Bob Eckhardt, D-Texas	\$16,300
John Conyers Jr., D-Mich.	\$15,566
Thomas S. Foley, D-Wash.	\$15,000
John J. LaFalce, D-N.Y.	\$14,909
Henry J. Hyde, R-Ill.	\$14,828
Jim Santini, D-Nev.	\$14,750

by her husband, Harrison A. Williams Jr., D-N.J. She earned \$31,500 in 1978, according to Senate records.

Patricia B. Young is executive secretary on the staff of her husband, Sen. Milton R. Young, R-N.D. Young reported her 1978 earnings as \$24,677.

Ford and Roussette did not mention their wives on their financial disclosure forms.

The federal anti nepotism law, adopted in 1967, prohibits federal officials, including members of Congress, from appointing, promoting or recommending for appointment or promotion, a relative to serve in the same agency or department. However, the law does not prohibit a member from marrying a staffer and keeping his spouse on his payroll (1967 *Almanac* p. 591).

Compliance

Although most members generally complied with the letter and spirit of the disclosure rules, a few members in each house filed disclosure forms that were seriously incomplete, inaccurate or misleading.

Ethics committees in both houses attempted to correct the most serious errors, but committee aides admitted they did not have the time or staff to strictly enforce the rules.

The Senate voted in March to discontinue General Accounting Office spot audits of forms filed by senators and their top aides. (*Weekly Report* p. 1746; disclosure that doesn't disclose p. 1830).

Some members voluntarily revealed much more than the rules required. Rep. Morris K. Udall, D-Ariz., revealed his entire 1978 federal income tax form. Rep. Paul Simon, D-Ill., continued his long-standing practice of disclosing in detail his finances and those of all his aides.

Honoraria Payments

Members of Congress were paid almost \$2.3 million in 1978 by businesses, trade associations, educational and ideological groups, publications and other organizations eager to hear the members' insider views on issues facing the federal government.

Of the total honoraria payments, \$1,086,451 went to 75 senators and about \$1,180,000 to 249 representatives, according to financial disclosure forms filed by all 100 senators, all 435 voting representatives, the resident commissioner representing Puerto Rico, and the three non-voting

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year 1988. It was not necessary to report the exact amount of the reimbursement. Included were reimbursements to the senator's spouse where the reimbursement was not totally independent of the spouse's relationship to the senator.

* The source and category of value of each item of unearned income in excess of \$100 for the senior spouse and dependents. Included in this section were interest, dividends and royalties, capital gains, rental income, distributive shares of partnership income, and distributions from estates and trusts. The value categories for unearned income were: not more than \$1,000; \$1,001-\$2,500; \$2,501-\$5,000; \$5,001-\$15,000; \$15,001-\$50,000; \$50,001-\$100,000; and over \$100,000.

- The source, value and a brief description of all gifts, worth \$100 or more, received by the senator, spouse or dependents from any one source during 1978. Individual gifts valued at less than \$25 didn't have to be reported.

■ The source, value and a brief description of all gifts of transportation, lodging, food or entertainment received by the senator, spouse and dependents during the calendar year aggregating \$250 or more.

* **Interest in real property held directly or indirectly at any time during the calendar year that had a fair market value in excess of \$1,000.** For each property, a brief description and location and the value category had to be provided.

- Personal property held directly or indirectly for the production of income and having a fair market value in excess of \$1,000 at any time during the calendar year.

The categories for real and personal property values were: not more than \$5,000; \$5,001-\$15,000; \$15,001-\$50,000; \$50,001-\$100,000; \$100,001-\$250,000; \$250,001-\$500,000; \$500,001-\$1 million; \$1 million-\$2 million; \$2 million-\$5 million; and over \$5 million.

- Liabilities owed directly or indirectly by the senior, spouse or dependents which exceeded \$2,500 at any time during the year, except obligations to relatives.

- Transactions in securities or commodities futures.
- The purchase, sale or exchange of real property by the senator, spouse or dependents where the value of the

the senator, spouse or dependents where the value of the property exceeded \$1,000. Also the date of the transaction and the property's category of value.

* Patent rights held by the senator, spouse or dependents at any time during the 1978 calendar year.

* Agreements for future employment or continuation of payments or benefits to the senator only.

Spouses and Dependents

Members of both houses had to report property holdings for spouses and dependents except for those holdings:

a) which the member certified represented the spouse's or dependent's sole financial responsibility and which the member had no knowledge of.

by which were not in any way, past or present, derived from the income, assets or activities of the member, or

c) from which the member neither derived, nor expected to derive, any economic benefit.

Disclose

to report the exact value of each item of \$100 for the senator, and in this section were capital gains, rental partnership income, and gifts. The value categories: not more than \$1,000; \$1,001-\$15,000; \$15,001-\$100,000; over \$100,000.

A description of all gifts, the senator, spouse or dependent during 1978. Individual gifts have to be reported, a description of all gifts or entertainment received by dependents during the year.

For each property, a description of all gifts or entertainment received by dependents during the year that had a fair market value of \$100 or more. For each property, a description of all gifts or entertainment received by dependents during the year that had a fair market value of \$100 or more.

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House delegation (*House Honors* list, p. 1849; *Senate Honors* list, p. 1852).

Twenty-five senators and 190 House members reported receiving no honoraria for speaking engagements or related fees in 1978.

The total paid senators in 1978 was just slightly less than the record for honoraria payments set in 1977. In that year, 81 senators earned \$1,087,648 in honoraria, while 12 reported receiving none.

Senators have been required to disclose their earnings from honoraria since 1969.

The slight decrease in 1978 probably was due to 21 senators leaving office at the end of that year. Those senators were not required to file details of their 1978 finances with the Senate. But the 20 freshmen who took their seats at the beginning of 1979 were. As candidates during 1978, these individuals couldn't command the high speaking fees normally given incumbent senators.

Because 1978 was the first full year for which House members were required to disclose their honoraria payments, no figures for earlier years are available for comparison purposes.

Time-Honored Practice

The payment of honoraria is a time-honored way to entice representatives and senators to provide various groups with an "insider view" of Washington through speeches, personal appearances or published articles. In addition to the honoraria, members of Congress often receive expenses paid trips to the sites where the speech are given, as well as lodging and meals.

Most of the honoraria payments are in return for speeches to conventions held by trade associations and other business groups. Others are for briefings or addresses to educational groups, ideological organizations, religious and ethnic groups and think tanks.

Some are for intimate meetings over dinner or lunch with a corporation's board of directors, or a small group of businessmen, lawyers and lobbyists such as the Washington Discussion Group. These small groups say a meal and a chair with a prominent senator or representative is worth the \$1,000 or \$2,000 payment because of the opportunity it provides for an off-the-record discussion of Washington goings-on.

Honoraria are perfectly legal, but most of the groups that provide such payments also are interested in legislation before Congress. The most harsh critics of honoraria payments say the system is little more than legalized

influence buying. Law-based critics contend that the groups making the payments are more interested in gaining the friendship of elected officials and easy access to them in the future than in hearing the comments of the senators and representatives.

Organizations that give honoraria—and members of Congress who accept them—deny any impropriety.

Many freely admit, however, that inviting a member of Congress to address a corporation's board of directors or a trade association's annual meeting—and paying him for his appearance—can have "tantalizing" benefits. It can give top management a better understanding of the Washington scene, provide an occasion to get to know an important member, or ensure better access to the member in the future. It also can be used to let the member know that he has a supporter on the "outside."

Groups Target Payments

An examination of the honoraria paid members of Congress in 1978 indicates that interest groups often concentrated their payments on members in a position to help them with their concerns. This is the pattern that has been present in other years, also. For example, the Outdoor Advertising Association gave a total of \$7,000 in honoraria to five members of the Senate Environment and Public Works Committee, which in 1978 rewrote the Highway Beautification Act of 1965, weakening key provisions regulating outdoor advertising. (*1978 Almanac* p. 539)

While the House Ways and Means Health Subcommittee considered hospital cost containment legislation, its chairman, Rep. Dan Rostenkowski, D-Ill., received \$14,000 in honoraria from health groups. (*1978 Almanac* p. 499)

The American Bankers Association funneled five honoraria totaling \$10,000 to five Democratic members of the House Banking Committee in 1978, while five state banking associations provided one senator alone—Jake Garn, R-Utah, ranking Republican on the Senate Banking Committee—with \$8,000 in honoraria for five different speeches.

The banking committee worked on a number of major revisions in federal legislation regulating banking practices during 1978. (*1978 Almanac* p. 300)

Banking Industry Honoraria

Banking groups gave heavily in 1978. The American Bankers Association gave more honoraria to members of Congress than any other group during that year, paying out a total of \$28,000 to 16 different senators and representatives. At the same time, various state banking associations paid out \$20,100 to 17 different senators and representatives in the same period.

"We hold over 300 meetings a year," commented Edward F. Smith, a spokesman for the American Bankers Association, explaining why his group gives honoraria to members of Congress. "You can't get away with always using only [the trade association's] staff. You need a big name. And you can't ask them to take time off and not give them something."

Smith said the association seeks out members of the congressional banking and tax committees to address its meetings because those members are most familiar with the industry's legislative concerns. He added that the association was proud of its record on honoraria payments.

"We're not opposed to it [paying honoraria]," he said. "We're not like some trade associations who try to hide under a bushel. I'm glad we're on top. I'm only sorry we don't have more money to spend on this."



Sen. Spark M. Matsunaga

Rep. Les Aspin

The Unwealthy in Congress

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Sept. 1, 1979—PAGE 1829

Disclosure That Doesn't Disclose

The extensive disclosure requirements imposed on Congress in recent years have given voters more information than ever before about the financial dealings and personal wealth of elected representatives.

But, ironically, the methods of disclosure can distort the true picture of a member's wealth, moreover, the structure of the disclosure forms, in certain cases, presents an open invitation for members to obfuscate or to conceal information.

These problems make an exact calculation of a member's net worth impossible unless the individual voluntarily supplies additional information.

Several members have been doing this for years, most notably Rep. Paul Simon, D-Ill., who released his 24th annual public financial disclosure statement this year. It has been his practice since first taking public office in 1955 as a member of the Illinois state House. Rep. Philip M. Crane, R-Ill., a presidential hopeful, filed a statement over 100 pages in length. Sen. Claiborne Pell, D-R.I., released 67 pages of financial information, the most lengthy statement in the Senate.

Categories of Value

The financial disclosure rules require a member to reveal the "category of value" owned by him or his spouse and dependents. Each category represents a "range" of wealth and not an actual amount. Examples are: "between \$15,001-\$50,000" and "between \$101,001-\$250,000." See p. 1528.

The misleading nature of the categories can be shown in the disclosure of Sen. Russell B. Long, D-La., who listed all his income and holdings, and voluntarily showed a net worth of \$2,811,731. Using the categories, however, Long's net worth could be anywhere between \$2,127,000 and \$4,760,000.

Walter (Fred) Huddleston, D-Ky., gave the exact amount of his unearned income as \$14,901. Using the categories, his income could be \$17,801 to \$39,000.

For most members, the most serious distortion is in the \$15,001-\$50,000 category.

If a member had three holdings of about \$16,000 each, the actual total would be \$48,000. But under the category system, those would total \$47,000-\$150,000.

Another distortion inherent in the category system is the largest category value. In the House it is over \$250,000; in the Senate it is over \$1 million.

Rep. Fred Richmond, D-N.Y., reported his holdings in Walco National Corp. as "over \$250,000," which is all that is required by law for House members. Richmond held 760,000 shares of stock in Walco National in 1977, and sold 2,000 shares in June 1978, leaving him with 748,000 shares. At current stock market value, his financial interest in Walco National should be about \$16.5 million—\$16.25 million more than he had to disclose.

Problems With the Forms

The structure of the disclosure forms also permitted errors.

By Andrea Yank

The House forms for 1978 were short on space for anything but the most minuscule of holdings for an individual member. The instructions were short on detail and briefly printed on the reverse side of each member's disclosure cover sheet. House Ethics Committee staffers were deluged with questions on procedures for filling out the forms.

On the other hand, the Senate Ethics Committee published a 43-page manual for senators and employees, and received far fewer procedural questions.

The different forms allowed the accuracy of information to vary, especially the value of financial interests.

The Ethics in Government Act requires members to disclose "the current value" of their real property holdings unless the current value "is not ascertainable without an appraisal." If the latter case is true, members could use different calculation methods to determine the value, providing the method used is explained.

Because of limited space on the House forms and the brevity of instructions, information about real property holdings was more likely to be reported at fair market value than through other methods.

The Senate forms provided a separate column for senators to list the method used to value their property. This appeared to invite senators not to report the current value. Hence, Sen. Long reporting an interest in "143 acres of timberland, Winn Parish, La." at a value of "not more than \$5,000, purchase price in 1935."

The county assessor's office in Winn Parish, La., told a reporter that timberland there is valued between \$500 and \$700 per acre. This suggests that the current value of Long's timberland might be between \$69,500 and \$100,100. If the timber on the land is top quality southern pine, the value could be as high as \$1,500 per acre, which means Long's holding could be worth as much as \$200,000.

Long also reported 1,908 acres of timberland in Fayetteville, La., at a 1975 purchase price of \$3,716. Based on the U.S. Forest Service assessment that virtually no timberland in the United States today is worth less than \$500 per acre, 900 acres would be worth at least \$240,000 and could be worth over \$1 million.

Although this avenue of disclosure is better, as possible, was used by all members, few took advantage of it. Only six senators listed most of their real estate holdings at acquisition cost.

Filling out the Forms

Some members simply filled out the forms (partly or incompletely).

Several, such as Rep. Harold Rounsley, D-F.M., reported no income from friends but listed no assets himself. Rep. Charles Wilson, D-Texas, reported rental income without listing an interest in real property.

The winner of the "most legible handwriting award" this year goes to freshman Rep. Ron Paul, R-Texas, who filled out his form himself in England. Paul is a doctor.

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Informing Management

Two companies that only began in 1978 to pay mem- bers of Congress for speaking engagements told Congress- sional Quarterly they did so to keep their firms' managers informed of important Washington activities.

One firm, Bernard Inc., a Milwaukee, Wis., manufact- uring company, paid out \$1,585 in 1978 to five members of Congress for addressing Washington seminars. The seminars were set up to educate management on "how the process works," according to company spokesman John Bartels. A fifth member of Congress was paid \$1,000 plus travel expenses to address the firm's annual meeting.

Bartels said the company had been holding Washing- ton seminars for at least five years, but before 1978 had brought company officials to the Capitol to meet with members. In 1978, the company decided to invite to dinner the members it wanted to meet. The dinner meetings were intended "to get to know them better," Bartels said. They were paid honoraria because to leave the Capitol in order to attend a dinner was "overtime," he explained.

The Dana Corp., a Toledo, Ohio, automotive parts manufacturing firm, also paid out honoraria to members of Congress for the first time in 1978. The firm paid \$5,500 to eight members for the year. The members were paid to address a Washington seminar for Dana's middle manage- ment, according to the firm's Washington vice president, Howard Hangerud.

"Many people believe government workers are not the swiftest in the world," Hangerud explained. "It's important for our employees to see that, in the upper echelons, at least, this is not the case."

Honoraria Limitations

The 1976 Federal Election Campaign Act (P.L. 94-285) limited to \$25,000 annually (the amount of money a senator or representative could earn in honoraria in a year). The law also limited each individual honorarium payment to a maximum of \$2,000. (1976 Almanac p. 459.)

A stricter limitation on the amount of money a senator may earn in outside income was to have gone into effect in 1979, but the Senate voted in March to delay enforcement of that rule for four years. (Weekly Report p. 38.)

A similar House rule was unaffected by the Senate action. The House rule placed a ceiling of 15 percent of a representative's annual salary on all outside earned income including honoraria, and a ceiling of \$1,000 on each individual honorarium, beginning Jan. 1, 1979.

The House approved the 15 percent cap and a ceiling of \$750 on each honorarium as part of its ethics code, adopted in 1977. However, the \$750 limit was raised to \$1,000 in January 1979 after the House Democratic Caucus voted to amend the increase at the end of the 16th Congress. (1977 Almanac p. 286; 1978 Weekly Report p. 106.)

At the current annual salary of \$57,500, the limitation means that, as of 1979, a representative can earn no more than \$8,625 a year in outside income, including honoraria. In 1978, 45 representatives and 48 senators earned more than \$8,625 in honoraria alone.

Lugar Is 1978 Champion

Sen. Richard G. Lugar, R-Ind., was the honoraria champion in both House and Senate in 1978, earning \$38,500. He donated \$13,500 of his honoraria earnings to charity in order to comply with the \$25,000 limitation.

"We're aware that he was No. 1, but he's still here for every vote," commented Lugar spokesman Len Gerig. He

said Lugar asked them to attendance in the Senate in 1978, and gave no outside speeches on Senate floor.

The 1976 law permits members to deduct any funds donated to charity or used to pay for out-of-pocket expenses from their total honoraria earnings in order to comply with the \$25,000 limitation.

In 1978, six senators—Lugar, Jake Garn, R-Utah, Howard H. Baker Jr., R-Tenn., Daniel Patrick Moynihan, D-N.H., Robert Dole, R-Kan., and Jacob K. Javits, R-N.Y.—earned more than \$25,000 in honoraria and either donated some of the money to charity or used some of it for expenses related to speech giving in order to comply with the \$25,000 ceiling.

Javits stated in his financial disclosure report that, in order to comply with the \$25,000 ceiling, he had deducted

Financial Disclosure in Congress



some money from his total speechmaking earnings to pay members of his staff who, in non-working hours helped him with the speeches and writings that earned the honoraria.

This deduction is not permitted by the 1976 law, spokesman for both the Senate Select Ethics Committee and the Federal Election Commission refused to discuss the matter.

Javits' executive assistant, Gregory G. Jones, told a reporter the senator's accountants felt the deduction was proper. He added, "If we are advised that it is improper by either the Ethics Committee or the Federal Election Commission, then we will do anything that is necessary to clean it up."

In all, 43 senators and six representatives donated all or a portion of their honorarium income in charity.

Members donating all their honoraria to charity were Sens. Henry M. Jackson, D-Wash. (\$25,000), Howard M. Metzenbaum, D-Ohio (\$5,000), Claiborne Pell, D-R.I. (\$3,200), Strom Thurmond, R-S.C. (\$5,500), and Reps. Carlos J. Moorhead, R-Calif. (\$1,000), and Mary Rose Oskar, D-Ohio (\$1,100).

No Limit on Number

Though members were limited by the 1976 election law to \$2,000 for any one speaking engagement, some members managed to earn more than \$2,000 from one source by making repeat appearances.

Javits, for example, was paid a total of \$8,000 for four speeches to Fouché-Ross & Co., an accounting firm. Lugar was paid \$4,000 for two speeches to the U.S. League of Savings Associations. Rep. Gus Vander Jagt, R-Mich., was paid \$3,000 by Dow Chemical Co. for three speeches, while Rep. James J. Howard, D-N.J., was paid \$3,000 for three speeches to the American Public Transit Association.

Overall, senators drew larger speaking fees than House members, probably because of greater national fame.

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Sept. 1, 1979—PAGE 1831

Tougher Ethics Standards in Congress . . .

The part-time lawyer is now an endangered species in Congress.

Tougher ethics standards have all but eliminated the once widespread practice among members of accepting thousands of dollars for part-time legal work.

Financial disclosure reports show that only 23 House members who served in Congress during 1978 received fees from actively practicing law. And many of those numbers have withdrawn from their law practices because of the new House ethics code. Under that code, no member of the House can accept more than \$8,625 per year in outside earned income, starting in 1979. The Senate postponed the effective date of a similar rule until 1983. Senate rules, however, effectively prevent senators from practicing law.

Twenty-one House freshmen and five freshman senators reported collecting legal fees in 1978, before entering Congress. All five senators and at least four of those House members have since withdrawn from their law practices.

The House earned income limit will force some members to take substantial cuts in legal fees. Freshman Frank J. Guarini, D-N.J., for example, reported \$624,129 in legal fees for 1978. He has said he will continue to practice law, but will accept only the \$8,625 allowed by the House rule. (*Earned income limit story*, p. 1841)

Five members of the House continued in 1978 to allow their names to be used by their law firms, even though they no longer actively practiced with the firm. The American Bar Association Code of Professional Conduct expressly forbids such "false front" law firms.

The code states that a lawyer who becomes a judge or public official "shall not permit his name to remain in the name of a law firm or to be used in professional notices of the firm during any significant period in which he is not actively and regularly practicing law as a member of the firm." An ABA opinion modifying the rule said a public official may allow the partnership to retain his name if he intends to remain in public office "only temporarily."

Although the ABA code does not say so, the intent of the rule is to prevent law firms from using the name of a prominent public official to attract clients.

House members who did not actively practice law in 1978, but who permitted their names to be used by law firms are: Charles A. Stenick, D-Ohio; James C. Cleveland, R-N.H.; Robert C. McEwen, R-N.Y.; John W. Jenrette, D-S.C.; and Claude Pepper, D-Fla.

House

The following list includes all House freshmen who are lawyers and other House members who reported income from practicing law or affiliating with law firms for 1978. Freshmen are designated by an asterisk (*).

Joseph P. Addabbo, D-N.Y.: \$5,977 income as partner in Addabbo, DeSena and DeSena of New York City.

Beryl Anthony Jr., D-Ark.: \$1,500 legal fees from private practice in El Dorado, Ark.

Adam Benjamin Jr., D-Ind.: \$1,504 residual income from previous practice in Indianapolis.

Don Bailey, D-Pa.: \$2,000 legal fees from private practice in Greensburg, Pa.

By John Feltton

Michael H. Barnes, D-Md.: No legal income listed and not associated with any firm.

Ed Bethune, R-Ark.: \$10,528 income from Ed Bethune Attorney at Law, 116,886 income from Bethune and Edwards of Searcy, Ark.

Mario Biaggi, D-N.Y.: \$50,000; \$100,000 income as partner in Biaggi, Ehrlich and Lang of New York City. Biaggi has since withdrawn from the partnership.

James Cleveland, R-N.H.: \$1,750 trustee's fees, and partner, Cleveland, Waters and Bass of Concord, N.H.

William Chager Jr., R-Pa.: \$15,990 income, partner in Harper, Chinger, Elchert and Martz of Warren, Pa.

Jim Courter, R-N.J.: \$39,750 salary from Courter, Roberts and Hare of Hackettstown, N.J.

William E. Dannermeier, R-Calif.: \$9,443 bonus as partner in Dannermeier, Bean and Sunday of Fullerton, Calif.

Robert Duncan, R-Ore.: \$10,502 liquidation of share partnership in Landay, Nabstall, Hart, Neil and Weigler of Portland, Ore.

Geraldine A. Ferraro, D-N.Y.: \$7,000 income from law practice in Queens, N.Y., and \$9,000 income as Queens District Attorney, January-April, 1978.

Martin Frost, D-Texas.: No legal fees listed from private practice in Dallas, Texas.

Robert N. Gialmo, D-Conn.: \$5,200 income as "of counsel" from Sachs, Sachs and Sachs of Milford, Conn.

Sam Gibbons, D-Fla.: \$12,000 salary from Gibbons, Tucker, McEwen, Smith, Coder and Tauloff of Tampa, Fla.

Frank J. Guarini, D-N.J.: \$624,129 gross fees as partner in Guarini and Guarini of Jersey City, N.J.

Sam B. Hall Jr., D-Texas.: \$4,800 legal fees accrued prior to July 1976 from the former firm of Hall, Huffman and Palmer of Marshall, Texas.

Kent Hance, D-Texas.: \$39,900 income from Hance, Thompson, Thomas and Sawyer of Lubbock, Texas.

William H. Harsha, R-Ohio.: \$2,000 income from private practice in Portsmouth, Ohio.

William J. Hughes, D-N.J.: \$13,154 salary from Loveland, Garrett and Russell of Ocean City, N.J.

Henry J. Hyde, R-Ill.: \$7,098 legal fees from five clients.

James M. Jeffords, R-Vt.: \$100-\$2,000 residual income from law practice work, prior to 1978.

John W. Jenrette Jr., D-S.C.: \$7,845 income for use of law practice by firm of Jenrette, Wheeler and Melius of North Myrtle Beach, S.C.

Ken Kramer, R-Colo.: \$0,000 partnership distribution from Floyd, Kramer and Lambrecht of Colorado Springs, Colo.

Claude (Buddy) Leach, D-Ia.: \$21,529 income from "drawing account" from Cabot, Leach and Tilles of Leesville, La.

Norman F. Lent, R-N.Y.: \$3,561 salary from H.B. Lent and Treischer of Lynbrook, N.Y.

Robert L. Livingston, R-La.: \$600 residual fee from Livingston and Powers of New Orleans, La. Livingston was a partner until approximately May 1, 1978.

Tom Loeffler, R-Texas.: \$7,280 from contract legal services. Loeffler is not associated with any firm.

Dan Longren, R-Calif.: \$44,000 salary from Hall, Hunt, Hart, Brown and Barwitz of Long Beach, Calif.

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Although the total paid all senators an honoraria was slightly less in 1978 than in 1977, the average amount earned by those senators accepting honoraria increased to about \$14,000 in 1978 from about \$13,000 in 1977. For House members, the average amount earned by those accepting honoraria was \$4,000 in 1978.

Spouse or Aide Often Invited

A wife benefit often provided members delivering speeches is an invitation to take along one's spouse or staff aide at no personal expense.

Sen. Paul Laxalt, R-Nev., for example, took his wife with him on trips to Albuquerque, Des Moines, Las Vegas, Los Angeles (twice), Phoenix and Reno (four times) in 1978, according to his financial disclosure form. In each case, his travel expenses were paid for by the groups he addressed. The Laxalts make their home in Reno.

Howard W. Cannon, D-Nev., reported accepting payment for his wife's travel expenses on four different speech-making trips to Las Vegas in 1978. The Cannons' home is in Las Vegas.

S. J. (Sam) Hayakawa, R-Calif., reported taking along aides on speech-making trips to Providence, Miami, Tuscaloosa, Los Angeles (twice), San Francisco (twice), Albuquerque, Columbus, Kansas City, Tucson, Jacksonville, Fresno and Palm Springs in 1978. Most of the trips were to make campaign speeches for other Republican office-seekers.

Speechmaking trips can lead a member and his spouse far from home, often to glamorous vacation spots. James McClure, R-Idaho, for example, was able to take his wife along with him on a speech-making trip to Honolulu at the expense of the National Association of Realtors. Bob Packwood, R-Ore., had his wife's way paid to Tel Aviv by the American Jewish Committee in return for a speech by the senator.

Top Earners in Congress

This year, for the first time, all members of Congress were required to disclose the sources and general amounts of their outside incomes for the previous year. But because congressional disclosure requirements are so vague, it is impossible to determine exactly which members had the highest incomes.

Members were required to disclose the exact amounts of earned income, such as salaries, but were required to disclose unearned income, such as stock dividends, only in broad categories, such as \$101-\$1,000.

However, Congressional Quarterly compiled the following list of the 15 senators and 15 House members who had the highest minimum incomes for 1978. In compiling the list, CQ added the exact amounts of earned income and honoraria to the total minimum value for each member's unearned income.

At least half of the top 30 members inherited all or more of their wealth and are able to count on \$100,000 or more each year in dividends on stocks and bonds. Two senators are wealthy because of high visibility careers: former astronaut John Glenn and former professional basketball player Bill Bradley. Several members, who were successful lawyers or businessmen before joining Congress, continued to receive large incomes from their previous careers.

Senate

The following 15 senators topped the earnings list in the Senate during 1978.

John Heinz, R-Pa.: An heir to the H. J. Heinz family fortune, Heinz reported unearned income of \$471,001 to over \$800,000 during 1978. He reported no earned income and accepted no honoraria. At least \$200,000 of the income was in the form of dividends on Heinz Co. stock; another \$100,000 came from real estate partnerships, and the rest came from various royalties, rents and interest payments.

Edward M. Kennedy, D-Mass.: Kennedy reported unearned income of \$288,401 to over \$581,500. The bulk of that — over \$200,000 — came in payments from five family trusts established by his father and mother, and a blind trust Kennedy established himself. Kennedy also received \$50,000-\$100,000 as his share of income from the family-owned Merchandise Mart office building in Chicago. He accepted \$3,000 in honoraria, and donated all but \$25 of it to charity.

John Glenn, D-Ohio: After his 1962 space flight, the former astronaut went to work for Royal Crown Cola and amassed a sizable personal fortune. His investments produced unearned income in 1978 of \$288,000 to over \$412,000. Among his investments are partnerships which own Holiday Inns and other real estate. Glenn received unearned income of more than \$100,000 each from two partnerships: Interstate Resort Corp. and Friendship Management. Glenn also received \$50,000-\$100,000 from Lyanda Inc., which manages two Holiday Inns owned by Friendship Management. He reported no earned income.

Chaiborne Pell, D-R.I.: A member of a wealthy East Coast family, Pell reported unearned income of \$267,401 to over \$524,000. He also earned \$3,200 in honoraria, but donated all of it to charity. Most of Pell's personal fortune is managed by the U.S. Trust Co. and the Chemical Bank, which pay him dividends and interest on numerous stock holdings. Pell earned over \$100,000 in capital gains on sales of securities during 1978. Pell also is a beneficiary of eight family trusts from which he earned at least \$19,500.

Sam Nunn, D-Ga.: Nunn reported a gross unearned income of \$241,501 to over \$371,000 for 1978 — nearly all of it from a \$400-acre farm in Perry, Ga. He did not reveal his net income from the farm. Nunn also received small dividends from numerous stocks and profits from real estate investments. He accepted \$4,400 in honoraria.

Mark O. Hatfield, R-Ore.: Perhaps more than any other member of Congress, Hatfield has taken advantage of the booming real estate market in Washington, D.C. At the end of 1978, he owned two apartment buildings, a commercial building and four townhouses as investments. His wife, Antonette, is a realtor who reportedly sold more than \$3 million worth of real estate in 1978. Hatfield himself reported unearned income of \$229,001 to over \$387,500. That included more than \$250,000 in capital gains on the sale of real estate. He also accepted \$22,400 in honoraria.

Charles H. Percy, R-Ill.: The son of a bank teller, Percy worked his way up to the presidency of Bell & Howell and now enjoys a comfortable income from the fruits of a successful business career. He reported unearned income of \$235,001 to \$663,500 from dividends, interest and capital gains on numerous holdings. He reported no single source of income over \$100,000, but did have a \$50,000-\$100,000 capital gain on the sale of stock in the Sullair

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reported the earnings list in

best to the H. J. Heinz Co. reported unearned income of \$100,000 in 1978. He reported no unearned income. At least \$100,000 in the form of dividends on H. J. Heinz Co. stock came from real estate and from various oil royalties.

D-Mass. Kennedy reported unearned income of \$581,500. The bulk of it in payments from five family trusts and mother and a blind trust. Kennedy also received \$100,000 in income from the family trust building in Chicago. He also donated all but \$25 of it

for his 1982 space flight, the first for Royal Crown Cola and others. His investments produced \$288,000 in 1978. He reported no unearned income. Glenn received \$100,000 each from two trusts, Corp. and Friendship Corp. and \$50,000-\$100,000 from two Holiday Inns owned by him. He reported no unearned income.

A member of a wealthy, East family, Pell reported unearned income of \$267,401 in 1978. He reported \$3,200 in honoraria, but most of Pell's personal fortune is in the Chemical Bank, and interest on numerous stocks. Pell also is a beneficiary of eight trusts, at least \$19,500 in unearned income.

and reported a gross unearned income of \$71,000 for 1978 — nearly all of it from Perry, Ga. He did not reveal his net worth. Nunn also received small stocks and profits from real estate. He reported \$4,490 in honoraria.

Ore. Perhaps more than any other Hatfield has taken advantage of the tax breaks in Washington, D.C. At the Hatfield family, a commercial building, a commercial building, a commercial building as investments. His wife, a reportedly sold more than \$1 million in 1978. Hatfield himself reported \$220,001 to over \$387,500 in capital gains on the sale of stock in the Hatfield family.

Ill. The son of a bank teller, he reported unearned income from the sale of stock in the Sullair

Corp., which manufactures compressors and drilling equipment. Perry also earned \$7,500 in honoraria.

John C. Danforth, R-Mo. Next to Hume, Danforth probably is the wealthiest member of the Senate. He inherited much of the Galston-Purina Co. family fortune. He reported unearned income for 1978 ranged from \$231,901 to over \$385,500. Over \$100,000 of that came from a blind trust and another \$100,000-\$200,000 came from two family trusts. Danforth also received \$15,001-\$50,000 directly from Galston-Purina dividends. He accepted \$6,500 in honoraria, but reported no earned income.

Wendell H. Ford, D-Ky. Two family insurance firms paid Ford more than \$200,000 in 1978, making up the bulk of his total \$208,201 to \$219,500 unearned income. Ford also accepted \$12,000 in honoraria.

Howard H. Baker Jr., R-Tenn. Nearly all of Baker's \$187,100 to \$328,000 unearned income came from installment payments and interest charges on the sale of his interest in a real estate and investment partnership. Baker also accepted \$27,750 in honoraria.

Bill Bradley, D-N.J. Bradley continues to receive substantial payments from his days as the star forward of the New York Knicks. In 1978 he received \$144,876 in deferred compensation and other basketball income, and a \$6,667 fee as consultant to Madison Square Garden in New York City. Bradley also received \$5,000 from the Alfred P. Sloan Foundation for serving on a commission studying higher education. He also had interest and dividend income from various investments totaling \$41,901 to \$89,000.

Lloyd M. Bentsen, D-Texas. Helped by family money, Bentsen turned investments in real estate, banks and other businesses into a sizable fortune which produces substantial income each year. For 1978, Bentsen's unearned income was \$182,400 to \$441,000. His largest single source was a \$50,000 to \$100,000 dividend from Productive Properties of Edinburg, Texas.

William L. Armstrong, R-Colo. Armstrong owns Armstrong Broadcasting Corp., which owns two radio stations in Colorado and which paid him an unearned income of over \$100,000 in 1978. Armstrong received other interest and dividend income of \$12,500 to \$106,000.

Howard M. Metzenbaum, D-Ohio. Metzenbaum built an airport parking lot business into a nationwide chain that he sold to ITT for several million dollars. Dividends from ITT, real estate interests and other investments put his unearned income for 1978 between \$147,001 to over \$255,000.

Thomas F. Eagleton, D-Mo. Eagleton inherited a sizable interest in Missouri Pipe Fittings Co., a family corporation that makes pipe fittings and nipples. He is vice president of the company, but draws no salary. Eagleton's unearned income from the firm, however, totaled more than \$100,000 for 1978. His other unearned dividends and interest income from various businesses and municipal bonds brought \$27,301 to \$90,500. Eagleton also accepted \$13,000 in honoraria payments.

House

The following 15 House members topped the House earnings list during 1978:

Cecil Heftel, D-Hawaii. a wealthy broadcasting executive, topped the House income list by a wide margin. He reported unearned income of \$878,967 from radio and television stations he owns, and unearned income of \$189,800 to

Chamber of Commerce Honoraria

In an attempt to write a new agenda for human progress in three days in the spring of 1978, the U.S. Chamber of Commerce was able to call on 17 members of Congress to give it a hand.

The members' attendance at the Chamber's annual meeting in Washington April 30-May 2 cost the group \$7,000 in honoraria, according to financial disclosure forms filed by the members who attended.

The Chamber paid honoraria to more members of Congress than any other group for a single meeting that year, the disclosure records revealed.

Here is what a Chamber publication, the *Washington Report*, said the members did at the meeting and what they were paid for their appearances:

Baker. Sen. Howard H. Baker Jr., R-Tenn., delivered the opening address of the 1978 meeting. He warned an audience of more than 2,500 of "the possibility that the U.S., like her ally Great Britain, might slip into state socialism," the *Washington Report* said. Baker was paid an honorarium of \$2,000 for the speech.

Heckler and Allen. Rep. Margaret M. Heckler, R-Mass., and Sen. James B. Allen, D-Ala. (1969-78), spoke during a program entitled "America's Religious Principles." Heckler was paid \$500. Allen, now deceased, did not file a financial disclosure form.

Goldwater. Rep. Barry M. Goldwater Jr., R-Calif., provided "an update on the status of privacy legislation" in Congress, according to the *Report*. He was paid an honorarium of \$1,000.

Muskie. Sen. Edmund S. Muskie, D-Maine, told a meeting that congressional spending estimates for new federal programs ran as high as \$416 billion over the next five years while estimates of new funds amounted to only about \$90 billion. Muskie did not report an honorarium for his participation.

Shuster. Rep. Bud Shuster, R-Pa., was a panelist in a discussion of "Congress, business and elections '78." The *Washington Report* did not report Shuster's remarks. He was paid a \$500 honorarium.

McCormack. Rep. Mike McCormack, D-Wash., told an energy panel that the administration was partially to blame for the nation's energy problems because of its weak leadership, "based on opinion polls rather than scientific facts and the realities of life." McCormack received no honorarium for his participation, according to his financial disclosure form.

Hatch and Williams. Sens. Orrin G. Hatch, R-Utah, and Harrison A. Williams Jr., D-N.J., participated in a panel discussion on labor "reform" legislation. Hatch argued that the "reform" bill would harm small businesses while Williams said the legislation would not. Each was paid \$1,000.

McClure. Sen. James A. McClure, R-Idaho, in a speech on "organization leadership," called on business to "realize that a permanent solution to its problems requires the election of a congressional majority that believes in the workings of the free enterprise system." He added that business can affect the way even "entrenched liberals" vote on many issues by "supporting a strong conservative opponent" against them. He was paid \$1,000 for his speech.

\$400,000. Much of his 1978 unearned income came from the sale of stock in various broadcasting and other enterprises. One major source was the congressman's interest in the Fox Corp., from which he received between \$1,000 and \$1,500 in dividends, interest and a capital gain. Hefel sold an Idaho television station to Kitz several years ago.

Frank J. Guarini, D-N.J., reported gross income of \$67,129 in 1978 from his private law practice in Jersey City. N.J. Guarini did not report his net income from the firm. He also reported \$15,000-\$34,000 unearned income from assorted investments.

Harold S. Sawyer, R-Mich., reported unearned income of \$525,149 and earned income of \$29,567. Most of the unearned income came from a \$505,071 capital gain from the sale of West Michigan Telecasters, Inc., which owns a radio station. Sawyer's dividend income came to more than \$18,000, including \$15,000 from Citation Companies, Inc., for which he was a director until his July 1978 resignation. Sawyer also received a \$3,583 salary from Citation, \$20,778 in past legal fees from the Grand Rapids, Mich., law firm of Warner, Norcross and Judd and a \$5,200 salary from Koor Industrial Corp., for which he was a director until July 1978.

S. William Green, R-N.Y., heir to the Grand Union Co. grocery chain fortune, took in at least \$453,900 in unearned income for the year, none directly related to Grand Union. The income included several capital gains and a number of dividends. The most lucrative investments were in oil and real estate. Green reported earned income of \$16,317, including \$6,900 as a director of Grand Union.

James M. Collins, R-Texas, realized at least \$304,000 for 1978, much of it in dividends from stock in companies that manufacture consumer products. R. F. Goodrich, Dennison, Woolworth, Simplicity Pattern, Singer. Other sources of wealth included income from a farm he owns and from silver futures. Before coming to Congress, Collins derived much of his wealth from insurance and other ventures. Collins reported no earned income.

Fred Richmond, D-N.Y., a wealthy businessman long before his 1974 election to the House, Richmond derived more than \$100,000 in dividends from his own company, Walco National Corp., which produces machinery, some plastic products and burial supplies. Richmond earned \$175,000 as board chairman of Walco in 1978, but resigned at the end of the year in order to comply with the new House earned income limit.

Bill Nelson, D-Fla., another member of a wealthy family, received \$194,081 to \$126,000 in unearned income, nearly all from real estate investments. Nelson owned several mortgage notes, which produced more than \$150,000 of his total unearned income. Nelson also earned \$10,233 in 1978 as a Florida state representative.

Jack Brooks, D-Texas, realized at least \$107,100 in unearned income last year. The main source was a capital gain from the sale of stock in the Guaranty National Bank. Brooks also received dividends from that and another bank, a holding corporation and the W. F. Brooks estate. Brooks also had \$56,685 in earned income, primarily as director of two Texas banks of which he is a major stockholder.

Gene Snyder, R-Ky., earned \$127,491 from three Louisville, Ky., enterprises in 1978: \$120,500 from his River City Coal Sales; \$55,163 from his real estate business; and \$2,069 from a part-time law practice. He also had \$15,898 in unearned dividends and interest from various business investments and municipal bonds.

Congressional Chrysler Investors

Members of Congress will have to decide soon whether to back the financially troubled Chrysler Corp. with taxpayer money.

But the nation's lawmakers have already voted with their own money—against the number three automaker.

According to their financial disclosure statements, only three of the 531 voting and non-voting members had personal investments in Chrysler as of the beginning of 1979. Twenty-five members had invested in General Motors and five had put money into the General Motors Acceptance Corp.

All three Chrysler investors are Republicans. Rep. Robert F. McEwen, of New York (who owns \$1,000, \$5,000 and freshmen senators Nancy J. Kassebaum of Kansas (under \$5,000) and Gordon J. Humphrey of New Hampshire (\$30,000-\$100,000 in the Chrysler Financing Co.). Both Kassebaum and Humphrey also own General Motors stock.

The Ford Motor Co. isn't much more popular than Chrysler among members of Congress—only eight members have invested in Ford.

Claude Pepper, D-Fla., no longer actively practices law, but the Miami Beach law firm he started paid him \$138,700 in 1978 for advice and the use of his name on the front door. Pepper also earned \$1,200 as director of Washington Federal Savings and Loan Assn., and \$7,944 in other earnings, including \$6,584 from Social Security. In addition, Pepper reported \$16,700 to \$54,500 in unearned income from banks, business investments and rent.

Sam B. Hall, D-Texas, earned \$129,785 from various businesses during 1978. Most of that, \$107,433, was payment by Dorchester Gas Co. on a note. Hall also earned a \$12,917 commission on the sale of cattle. His unearned income was in the \$15,000 to \$48,000 range.

Stewart B. McKinney, R-Conn., reported receiving \$140,341.60 in unearned income for the past year. Most of the sum, \$104,080, was income from a trust fund set up by the family of McKinney's wife, Laurie Cunningham. The congressman also derived \$6,000 from rentals and \$15,000 from another trust fund. He reported \$3,000 in bonuses.

Fortney H. (Pete) Stark, D-Calif., a successful real estate investor, earned \$134,808 during 1978. The major sources were \$74,000 from his own Stark Investment Co., which owns real estate and gas wells and \$40,000 from a partnership which owns a Columbus, Ohio, shopping center. Stark reported unearned income of only \$300 to \$3,188.

James T. Brophy, R-N.C., made at least \$133,200 in unearned income last year. Brophy's major sources were furniture interests that bear his family name and related enterprises. For instance, he reported a capital gain of between \$5,000 and \$15,000 from timber sales during 1978, and dividends of between \$1,000 and \$2,500 from the Southern Furniture Exposition Building.

Robert J. Lagomarsino, R-Calif., took home a combined income of more than \$129,000 from citrus and real estate holdings. Lagomarsino reported earned income of \$57,865 from Lagomarsino's Citrus and L. & F. Citrus. Profits from those firms and real estate investments produced another \$70,400 to \$109,000 in unearned income. ■

er Investors

have to decide what to do with the troubled Chrysler

have already voted at the number three

disclosure statements. Non-voting members of the board as of the beginning had invested in put money into the

are Republicans. Rep. (who owns \$1,000) or Nancy Landon (\$5,000) and Gordon J. (\$3,000-\$100,000) in the (Lussembour and Hum stock) which more popular than Congress — only eight

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and reported receiving the last year. Most of in a trust fund set up by Lucie Cunningham. The from rentals and \$15,000 and \$3,000 in honoraria

-Calif., a successful real during 1978. The major Stark Investment Co., sells and \$49,000 from a bus, Ohio, shopping center of only \$800 to \$3,000. made at least \$133,200 in elli's major sources were family name and related sorted a capital gain of timber sales during 1978, \$1 and \$2,500 from the building

Calif., took home a com \$800 from citrus and real ported earned income of us and L. & L. Citrus real estate investments. 000 in unearned income.



Financial Disclosure

Most Members Have Income Beyond Salaries

Members of Congress each year are paid \$57,500 from the U.S. Treasury — and all but a handful have outside sources of income to help them meet expenses.

Congressional Quarterly compiled the following lists of the outside incomes members reported for 1978. Only two senators and 16 House members reported no income from outside businesses, speaking or investments. Another 19 House members reported outside incomes of less than \$1,000.

The lists include freshmen members who were not serving in Congress in 1978.

Generally, the lists show:

- House members were more likely than senators to have earned income from outside jobs;

- Senators, many of whom are nationally known, take home substantially more money in honoraria from speechmaking than House members; and

- Virtually all members of Congress have at least a few thousand dollars in unearned income from stocks, savings or other investments.

The following charts show earned income from outside positions, honoraria and unearned income during 1978 for all House and Senate members. The list does not include House and Senate salaries of \$57,500 each or income for spouses and dependents of members, except in those cases where spouse or dependent income could not be separated from that of the member.

Earned income includes salaries, wages, and other income received as the result of performing a service outside the House or Senate, for example, salaries from a family farm. Honoraria are payments received from outside groups, such as lobbies, in return for making a speech or appearance, or writing an article.

Unearned income includes rent, interest, dividends, profits, capital gains, and partnership distributions. In some cases, the unearned income was one-time income during 1978; for example, a capital gain from the sale of a house.

Members of Congress were required to report the exact amounts of honoraria and earned income, but were required to show unearned income only in broad categories such as "\$101-\$1,000." The top unearned income category is "over \$100,000." Exact amounts for unearned income are shown when available.

An asterisk (*) next to honoraria income indicates that the member donated all or part of that income to charity.

Member	Earned Income	Honoraria	Unearned Income
G. Anderson	\$ 27,080	None	\$101,300
J. Anderson	None	12,680	15,100-51,000
Andrews	1,000	None	None
M. Andrews	1,201	3,750	1,100-3,500
Armstrong	None	3,250	18,100-51,000
Aschmann	75,700	1,000	2,600-6,000
Applegate	None	None	400-4,000
Archer	None	None	27,300-80,000
Aschmann	10,100-53,500	400-4,000	5,600-21,000
Ashley	1,781	25,000	25,900-81,900
Atkins	None	3,000	None
Atkinson	39,200	None	4,100-13,500
Auer	None	11,000	939-2,750
Bachman	None	1,500	100-1,000
Bachman	None	1,000	41,400-136,900
Baker	2,000	None	1,000-2,000
Baker	None	300	300-3,000
Barnes	None	4,300	100-1,000
Barnes	17,500	None	None
Barnes	None	3,800	None
Barnes	None	None	200-2,000
Barnes	None	12,725	200-2,000
Barnes	24,541	None	\$4,800-113,000
Barnes	4,991	350	1,700-27,000
Barnes	1,564	None	1,000-2,500
Barnes	None	None	7,700
Barnes	15,490	None	200-2,000
Barnes	26,458	None	5,100-18,000
Barnes	None	None	None
Barnes	None	None	72,000-182,000
Barnes	None	1,000	21,700-79,500
Barnes	None	None	117
Barnes	30,639	100	68,900-155,000
Barnes	3,751	None	2,600-6,000
Barnes	200	250	111,800-over 140,500
Barnes	10,251	300	None
Barnes	None	None	None
Barnes	None	985	100-1,000
Barnes	None	1,850	7,500-20,000
Barnes	None	4,200	200-2,000
Barnes	None	2,550	200-2,000
Barnes	1,000	5,300	None
Barnes	None	850	6,300
Barnes	None	1,750	2,500-3,000
Barnes	56,685	1,000	167,100-over 251,000
Barnes	None	None	4,900-20,500
Barnes	22,314	6,580	10,900-14,000
Barnes	None	700	None
Barnes	None	None	133,200-over 204,500
Barnes	None	2,050	100-1,000
Barnes	12,000	None	10,100-11,000
Barnes	None	None	3,600-8,500
Barnes	None	560	100-1,000
Barnes	None	None	None
Barnes	250	2,100	2,000-5,000
Barnes	None	None	100,000-200,000
Barnes	7,000	None	21,000-62,500
Barnes	27,249	None	None
Barnes	None	1,475	5,000-15,000
Barnes	None	4,750	29,200-74,500
Barnes	None	None	None
Barnes	None	None	200-2,000
Barnes	12,625	700	1,100-3,500
Barnes	None	18,981	None
Barnes	None	1,500	200-2,000

The tables in this report were prepared by John Felton, Immi Crosby, Brigitte Roussin and Rob Livernash.

House Income

Member	Earned Income	Honoraria	Unearned Income
Abdalla	\$ 3,173	None	\$1,200-34,500
Addabbo	5,970	None	12,700-47,000
Akaka	None	None	100-1,000
Albano	None	None	60,000-110,000
Alexander	None	850	None
Ambro	None	1,400	2,600-6,000

Continued on page 1837

Sept. 1, 1979—PAGE 1837



Some Members Avoid Income Limit Rule

With a little imagination, a few House members are finding that they needn't make any financial sacrifice in order to comply with a new limit on their outside earnings that went into effect in January.

Many others, however, have taken substantial pay cuts in order to comply with the limit.

But an examination of financial disclosure reports for 1978 shows that even with the cuts in outside pay, a number of representatives in 1979 may be capitalizing on loopholes in the new House rule in order to comply with the letter but not the spirit of the new limitations. The rule was intended to limit members' outside business activities and potential conflicts of interest.

"I'm sure before it's all over we're going to be seeing some very imaginative situations," commented a staff aide to the House Committee on Standards of Official Conduct.

The Standards Committee is charged with enforcing the House rule.

A better idea of whether members are complying with the rule will not be possible until May 1980, when members file their disclosure reports covering 1979 financial activities. Even then, the Standards Committee will be hampered in its enforcement efforts because members are not required to provide the committee with copies of their tax returns. Moreover, members do not routinely provide the Standards Committee with copies of their returns voluntarily. In many cases, only an examination of a tax return could show whether a member was complying with the rule or not.

A Standards Committee aide said that panel had provided advice on how to comply with the rule to House members who requested it. But he declined to identify members who had sought advice, the details of the members' requests, or the advice actually given.

Origins of Rule

At the heart of the new House rule is a ceiling on outside earned income. The limit went into effect on Jan. 1, 1979, and thus did not affect the earnings reported in financial disclosure statements for 1978. The ceiling was approved as part of the House's new code of ethics in 1977. (1977 Almanac p. 766)

The ceiling was placed at 15 percent of a representative's annual salary. At the current annual salary of \$57,500, this means that, as of 1979, a representative can earn no more than \$8,625 a year in outside income, including honoraria.

In 1978, 167 representatives reported earning more than \$8,625 in outside earned income. Of those, 45 representatives reported earning more than \$8,625 in honoraria alone.

A similar ceiling for senators also was to have gone into effect in 1979. However, the Senate voted in March to delay enforcement of that limitation for four years. (Weekly Report p. 583)

This means that, in contrast to House members, sena-

—By Irwin B. Arieff

tors can earn as much as they want in outside income rather than honoraria. The 1976 Federal Election Campaign Act (P.L. 94-285) limits honoraria earnings of members of Congress to no more than \$25,000 annually. (1976 Almanac p. 459)

Full-Time Attention to Congress

When it was adopted by the House in March 1977, the ceiling on outside earned income was the new ethics code's most controversial provision.

To its supporters, the income limit had two purposes:

- To ensure that members devote their full-time attention to their congressional duties rather than to any outside business activities.

- To minimize the potential for conflicts between a member's financial interests and legislative activities.

Acceptance of the limit also was seen as a trade-off for an increase in congressional pay, which in early 1977 went from \$44,000 to \$57,500.

Those opposing the ceiling noted that it would not affect unearned income such as dividends, interest, rent and capital gains.

In debate, these members argued that curbing earned income while leaving unearned income alone favored wealthy members and harmed those who depended more on

The new House limit on outside earned income has forced big pay cuts for some members. But with a little imagination, others are finding that they needn't make any financial sacrifice.

such activities as speechmaking and the practice of law for their income.

"People who sit on boards of directors have their interests protected," commented Rep. Shirley Chisholm, D-N.Y., at the time.

Converting Earned Income

When the income limit rule was drafted, its supporters called it "clear cut." But the official interpretation of the rule, published by the House Select Committee on Ethics in October 1978, left some room for members to make adjustments in their finances that apparently will enable them to continue to make substantial sums of outside income and to remain active in their outside businesses.

The Select Ethics Committee disbanded at the end of the 95th Congress, leaving further interpretation of the rule to the Standards Committee.

One way to evade the income limitation may be the ability to convert what a member formerly considered "earned income" into a return on investment.

Outside Income

The Select Ethics Committee's interpretation stipulated that income may not be recharacterized in order to circumvent the rule. Income should be considered earned if it represented compensation for personal services actually rendered.

If, however, the income were essentially a return on equity, then it would generally not be considered to be earned income. The interpretation added that if a member were not active in a business, yet had invested in that business, the member also could engage "in the general oversight and management or protection of his investment" without recording his earnings from that business as "earned income."

A handful of members seem to have seized on the qualifications in the interpretation in order to "recharacterize" their income and avoid the limitation on it. Others are in a position to do so, but may or may not actually do so.

Financial Disclosure in Congress



Hefner. Rep. W. G. (Bill) Hefner, D-N.C., for example, has in past years been taking the money from the two North Carolina radio stations he owns in the form of "salary" (in 1977) or "salary/compensation" (in 1978), according to the financial disclosure forms he filed with the House for those years. Hefner is president and owner of Hefner Radio Inc., which owns WRKB-AM and WRKB-FM in Kannapolis, N.C.

For 1979, however, "he'll now take it as dividends," explained press secretary James Lewis. Hefner later clarified this statement to explain that he would be awarding himself a dividend only "if there are any profits" from his radio firm in 1979.

Hefner said he decided to stop taking a salary from the firm because he was no longer actively involved in the company. In 1978, he explained, he "felt free" to participate in station affairs, while in 1979, "I'm not doing any work. I think I've only been to the station once this year."

However, C. W. Biggerstaff Jr., general manager of the two stations, said in a telephone interview in June that he has "detected no change in Hefner's management responsibilities in 1979. The congressman continues to 'oversee' the stations' operations in the same manner as he did in earlier years," Biggerstaff said.

Mattox. In 1977, Rep. Jim Mattox, D-Texas, reported income from his law partnership of \$37,542.72. In 1978, however, he reported \$30,314.82 in "law firm return on equity and salary."

In an interview, Mattox said he did not know how much he was going to make in 1979. He added he did not expect to be as active in the firm in 1979 as he was in 1978, but that any money he was paid beyond \$8,625 would not be in earned income.

"I don't know how much my return on equity will be this year," he commented. "But I will not earn more than \$8,625 in earned income." He maintained a return on his equity had always been a part of his income from the firm. He put his equity in the firm at "around \$80,000."

Shuster. Rep. Paul Shuster, R-Pa., reported income of \$43,106 for the fourth quarter of 1977 and \$29,570 for 1978 from BTT Investments Inc., the tire store and real estate business he founded. Shuster, however, maintained through spokesman Julian Barber that the money represented a return on the investment he had made in the firm before joining Congress. Barber added that the Standards Committee agreed with this interpretation. Shuster "has no active role in the management of BTT" except to oversee his investment, Barber said.

Gradison. Bill Gradison, R-Ohio, was paid a "salary" of \$20,000 in 1977 and 1978 by Gradison & Co., a stock brokerage, according to his financial reports. He also reported 1977 and 1978 dividend income from the brokerage, of which he is vice president and a director.

In a January 1979 letter to the House Standards Committee, however, Gradison said the \$20,000 payments were "in no way a payment for personal services on my part. I do not solicit clients, give opinions, make contacts or sell service that would generate income for Gradison & Co. The \$20,000 was agreed upon as fair compensation for the substantial equity that I have with the company. That equity interest in Gradison and Company approaches \$300,000. I do from time to time attend board of director meetings for the sole purpose of protecting my equity."

The Standards Committee informed Gradison in February that the payments were "not subject to the earned income limitation."

Quillen. Rep. James H. Quillen, R-Tenn., was paid \$48,570 in "salary" in 1978 by five companies, according to his 1978 financial disclosure report. The report also noted that, of the five companies, he is board chairman of two and president of three.

"Since these companies were begun by the congressman," explained Rebecca C. Masters, Quillen's press secretary, "he has the ability to reduce the salaries to the level necessary to meet the earned income limitation." However, there is no limitation on unearned income, Masters noted. "You don't know what the earnings will be," so you can't say what the dividends will be," Quillen's position with the companies are "honorary ones," Masters said. She added that the congressman is not active in their management at the present time.

Bedell. According to his 1978 financial report, Rep. Berkley Bedell, D-Iowa, received a salary of \$70,389 from the fishing tackle and marine products firm of which he is chairman and majority stockholder. But much of this income actually was a "bonus," Bedell press secretary Stephen K. Cook told a reporter. Bedell also reported receiving a dividend from the firm in 1978.

In any case, Bedell will comply with the limit by cutting his salary, Cook said. Since he entered Congress in 1974, Bedell has had an "inactive" role in the firm, which he plans to continue, Cook said.

Active Company Role

A number of House members control or own their own companies. In order to comply with the earned income limit, they said they would reduce their salaries while maintaining the same level of activity with the firm.

web in equity will be "but not earn more than \$10,000." He maintained a return on his part of his income from the firm at "around \$300,000."

Shuster, R. Pa., reported "income" of \$177 and \$29,370 for 1977 and 1978, respectively. He is the tire store and real estate broker. Shuster, however, maintained a barter that the money represents he had made in the firm. Shuster added that the Standards is interpreted as "Shuster has no part of HTI" except to oversee his

son, R. Ohio, was paid a "salary" of \$78 by Gradison & Co., a stock company. He also reported income from the brokerage, rent and a director.

Letter to the House Standards subcommittee said the \$20,000 payments sent for personal services on my part, give opinions, make contacts or generate income for Gradison & Co. as fair compensation for the time I have with the company. That Gradison and Company approaches to time attend board of director position of protecting my equity. Shuster informed Gradison in February were "not subject to the earned

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members control or own their own company to comply with the earned income would reduce their salaries while level of activity with the firm.

Such total control gives a member increased authority in hiring employees, determining the company's dividend payments, and setting the salaries paid other company employees. This gives a member more opportunity to take income in the form of dividends instead of salaries, or to hire a spouse or dependent.

Brooks, Rep. Jack Brooks, D. Texas, was paid "salary and director fees" totaling \$36,367 in 1978 by two Texas banks he owns, according to his disclosure report. Within the past two years, however, his wife was appointed to the banks' boards of directors, according to the *Dallas Times Herald*. In 1978, the banks began paying his wife salary and director fees, according to Brooks' report. The exact amount she was paid, however, cannot be determined because House rules require only that the source and not the exact amount of the spouse's income be reported.

The *Times Herald* also noted that Brooks reported more than \$22,000 in credit insurance commissions for the last quarter of 1977. In 1978, however, Brooks reported none. For the first time, though, his wife was reported as receiving a salary from the insurance company — of which Brooks is listed as a director — which sells the credit insurance for Brooks' banks.

Brooks and his staff aides declined to return numerous telephone inquiries concerning his plans for complying with the earned income limit and his wife's financial activities. One aide commented only that "his standard response has been that he will comply with the rule." The aide added that it was not the congressman himself but the boards of the two Brooks-owned banks which had appointed Brooks' wife a director and decided to pay her a salary and fees.

Guarini, One of the major losers in the House because of the income limit could be Rep. Frank J. Guarini, D. N. J., who reported \$924,129 in "gross fees" in 1978 from the law firm of Guarini & Guarini. The congressman is the sole partner in the firm founded by his father but has a staff of 11 attorneys working under him.

In order to comply with the earned income limit, he will take only up to \$5,625 in salary in 1979, according to Daniel P. Deane, an aide. He will not change his workload, however. Anything Guarini earns over the income limit, Deane said, he will donate to charity.

Richmond, Another major loser in the House will be Fred Richmond, D. N. Y., who will do without an annual salary of \$175,000 from the Waco National Corp. in order to comply with the earned income limit. In addition to dropping his salary, Richmond resigned as chairman of the company at the end of 1978. He will continue to receive dividends and will remain active in the firm, however. "If you own 11 percent of the company, they can call you the mayor, but what's the difference," he commented in an interview. "I'm on the phone weekends and nights, spending the necessary time whether I get paid or not."

Hefel, Rep. Cecil Hefel, D. Hawaii, earned \$78,250 from Hefel Broadcasting Corp. in 1978. In 1979, he will maintain the same level of activity in the firm but will donate any earnings over the limit to a scholarship fund he has established in Hawaii.

Brown, Clarence J. Brown, R. Ohio, was paid \$22,114.50 in 1978 as chairman of the Brown Publishing Co. He said he would retain the same duties for the firm but cut his salary in order to comply with the income limit. The result: "I will not be paid for some of the things I do," he said in an interview.



Rep. Fred Richmond



Rep. Cecil Hefel

Face Big Salary Cuts

Edwards, "I'll just reduce the salary," Rep. Don Edwards, D. Calif., said of the \$41,900 he paid himself in 1978 as founder and principal owner of Valley Title Co. He said he would retain the same duties with the firm in 1979 as he had in 1978.

Runnels, Rep. Harold Runnels, D. N. M., lowered his salary from the RunCo Acidizing and Fracturing Co. in 1978 to \$8,400 in order to comply with the 1979 limit, "a little bit early," Runnels said in an interview. He said he could not predict what he would pay himself in dividends in 1979 until the year was over. Runnels, who has had a series of cancer operations in the past year, said he would be reducing his activities with the firm in 1979.

Mollohan, Rep. Robert H. Mollohan, D. W. Va., reported a "salary plus bonus" of \$72,801 in 1978 from Interstate Fabrications & Constructors, Inc., of which he is chairman and a stockholder. He declined to explain how he planned to comply with the earned income limit.

The only statement he wants to make is that he is aware of the rule and he is making arrangements and he will be in compliance with it," explained spokesman Timothy L. McDonough.

Businesses and Law Practices Sold

A number of House members said they would sell their law practices or suspend the practice of law in order to comply with the income limit.

Among those who did so (followed in parentheses by the earnings they reported from their law practice in 1978) were Rep. Ed Bethune, R. Ark. (\$36,438.00); Mario Biaggi, D. N. Y. (between \$50,000 and \$100,000); Mark E. Marks, R. Pa. (\$87,000); Morgan F. Murphy, D. Ill. (\$71,441); (including some real estate fees); George M. A. Brown, R. Ill. (between \$15,000 and \$50,000); Ian Skelton, D. Mo. (\$55,617); Gene Snyder, R. Ky. (\$7,000) and John W. Wydler, R. N. Y. (\$40,175).

Handling fewer cases in his law practice will be Rep. William F. Dannenauer, R. Calif., who reported earning \$9,443 in 1978. "He will take no new cases," an aide reported. "He just doesn't have time."

Reps. Richard L. Schulze, R. Pa., and William Lehman, D. Fla., passed on family businesses to other family members in order to comply with the income limit. Schulze is selling a home appliance business to his brother, while Lehman has passed ownership of a truck dealership to his son.



One in Three Members Have Other Jobs

Although the House and Senate have widely differing regulations governing outside employment of their members, the proportion of members in each house actually holding positions outside Congress is remarkably similar.

Income disclosure reports for 1978 showed that 33 percent of the House's members held positions outside of Congress; 37 percent of the Senate's members held outside positions. In numbers this amounted to 143 representatives and 37 senators who were engaged in employment activities in addition to their duties as public officials. (These figures cover all outside employment reported by members except for law practices. *Members practicing law*, p. 1528.)

Some of these positions are actually paying jobs; others are nonpaying relationships such as company directorships.

The average member engaging in outside employment held only one position. Sen. Harman Talmadge, D-Ga., held eight outside positions, the most among senators.

In the House, Rep. Jim Courter, R-N.J., held 12 positions, the largest number among House members.

Although no one activity dominated, the most prevalent appeared to be in real estate and agricultural ventures. In the House, bank directorships were numerous.

Differences between House and Senate outside employment activities may stem partly from demands inherent in the jobs of senators and representatives. But a more important reason probably is the different employment restrictions in the two houses.

Members of the House are bound by relatively few limitations on their outside private employment. Although there is no statutory provision or House rule to specifically prohibit a member from engaging in outside activity which could cause a possible conflict of interest, ethical standards serve to restrict members in certain aspects of outside employment.

House rules limit the amount of income a member can earn outside his official salary to 15 percent of the salary (\$8,625 at the current annual salary level of \$57,500). (*Story on outside income limits*, p. 1841.)

In addition, there are these restrictions on outside employment for members of the House:

- The official position of a representative may not be used as a means for making personal gain.
- A member of the House may not receive compensation for services rendered before federal agencies or departments.
- Direct or indirect contracting with the federal government is prohibited.
- There is a prohibition against "self-dealing" with private foundations without incurring specific tax penalties.
- A House member may not receive emoluments or compensation of any kind from a foreign government.

Outside of these basic guidelines, members of the House have been generally free to decide whether or not they might be involved in conflicts of interest.

This report was prepared by Andrea Yank with assistance from Imami Crosby and Bob Luverdash.

Senate rules, on the other hand, specifically prohibit senators from engaging in outside employment for compensation if the work creates a conflict with their official duties.

A 1977 Senate Ethics Committee report on the Senate's ethics code said the rules "should be read to prohibit any outside activities which could represent a conflict of interest or the appearance of a conflict of interest." These rules apply to all employees of the Senate. The Senate ethics code also bans members of the Senate from practicing professions for more than 90 days in a calendar year. Professional services included under this rule are "engineering, real estate, insurance, legal, medical, architectural, consulting and other services."

Members of the Senate also are restricted in serving as officers or members of the board of any publicly held or publicly regulated corporation, financial institution or business entity. (1977 *Almanac*, p. 778.)

Senate

Following is a list of senators who reported partnerships, directorships, or salary income from businesses other than law firms during 1978. Salary income had to be reported only by category — explanation, p. 1528 — but some members reported exact amounts.

Freshmen senators in 1979 are designated by an asterisk (*).

Financial Disclosure in Congress



*William J. Armstrong, R-Colo.: president and director, Armstrong Broadcasting Corporation, Aurora, Colo.; salary, \$34,000; dividends over \$100,000.

Howard H. Baker Jr., R-Tenn.: president, Three Courthouse Square Corp., Huntsville, Tenn.; partner, North Gattinburg Property, Sevierville, Tenn.; loss \$1,001 (\$2,500).

Birch Bayh, D-Ind.: income from family farm, Shirkville, Ind.; \$27,420.

Lloyd Bentsen, D-Texas: farm income, \$15,000 (\$30,000).

*Rudy Boschwitz, R-Minn.: chairman, director, Plywood Minnesota, Inc., Minneapolis, Minn.; income over \$100,000.

The Political Ambitions of Local Legislators: A Comparative Perspective*

William H. Dutton

University of California, Irvine

Professor Dutton compares San Francisco area data with data of his own on Buffalo area local legislators' political ambitions, on the assumption that desire to remain in elective politics constitutes a significant element in securing accountability (response) to the voting public. Statistical analysis of interview responses reveals that most councilmen do, in fact, want to continue in office, and Dutton spells out a number of distinctions among legislators that may be expected to affect their hopes for reelection or advancement.

William H. Dutton has his Ph.D. from the State University of New York at Buffalo. He is assistant research political scientist with the Public Policy Research Organization of the University of California, Irvine.

Electoral accountability theories¹ view elections as a method for controlling elected officials. Public officials respond to the demands and interests of the public, interest groups, and parties because they want their support in the next election. This linkage mechanism between the public and actions of public officials assumes that these elected officials: (1) want to remain in office or advance to a higher office; (2) believe that acting according to the preferences of constituents, interest groups, and parties

* This study draws on data from my dissertation research. I would like to thank the members of my dissertation committee; Lester Milbrath, Roberta Sigel, and James Stimson, for their assistance. I am also grateful to the State University of New York for providing computer time and to the individuals I interviewed for their cooperation. An earlier version of this paper was delivered at the 1973 Annual meeting of the Midwest Political Science Association, Chicago.

1. For example, Robert A. Dahl, *Who Governs?* (New Haven: Yale University Press, 1961); and Lewis A. Froman, *Congressmen and Their Constituencies* (Chicago: Rand McNally, 1963).

will advance their office goals; and ² (3) act rationally in the sense that they do those things which they believe will help achieve their office goals.³ This paper focuses on the first assumption. Is it empirically correct to assume that elected public officials have political ambitions? If elected officials do not wish to remain in office, what of the electorate's capacity to restrain its officials?

This assumption is tested by comparing findings from two studies of the political ambitions of local legislators.⁴ The political ambitions of non-salaried nonpartisan legislators of the San Francisco Bay area are compared with those of the salaried partisan legislators of the Buffalo area. Three hypotheses are evaluated as explanations for the differences in political ambitions discovered between the two areas. These alternative explanations provide a set of conditions which relate to the empirical validity of the assumption that public officials want to be reelected and advanced.

2. The exact mechanism of linkage varies with different works. Norman R. Luttbeg, "Political Linkage in a Large Society," in Luttbeg, *Public Opinion and Public Policy* (Homewood, Illinois: The Dorsey Press, 1968), pp. 1-9, has described several models of the linkage process evident in the literature on representation, such as the "rational activist," "pressure groups," and "political parties" models. Each model is based upon somewhat different beliefs regarding who can advance the public official's office goals.

3. These do not exhaust the assumptions of linkage models. A test of other conditions of a specific linkage model is presented in John L. Sullivan and Robert E. O'Connor, "Electoral Choice and Popular Control of Public Policy," *American Political Science Review* (December, 1972), pp. 1256-68.

4. Published results of interviews with city councilmen of the San Francisco Bay area are compared with interview data collected by the author with the town and city councilmen of metropolitan Buffalo, New York.

The San Francisco area data were collected from January 1966 to June 1967 in over 400 cities ranging in population from 310 to 385,700 other than San Francisco. The study was conducted as the City Council Research Project, Institute of Political Studies, Stanford University. The principal published works utilized are: Kenneth Prewitt, *The Recruitment of Political Leaders* (Indianapolis: The Bobbs-Merrill Company, Inc. 1970); Prewitt, "Political Ambitions, Volunteerism, and Electoral Accountability," *American Political Science Review* (March, 1970), pp. 5-17; Gordon S. Black, "A Theory of Political Ambition," *American Political Science Review* (March, 1972), pp. 144-159, and Heinz Eulau and Kenneth Prewitt, *Labyrinths of Democracy* (Indianapolis: The Bobbs-Merrill Company, 1973).

The Buffalo area data were gathered from July to December of 1972 in the twelve cities and towns of Erie County, New York over 10,000 in population and over fifteen percent urban according to the 1970 census. This sample is basically Buffalo and its surrounding suburbs. Five councilmen were not interviewed, which resulted in a total sample of 64 councilmen.

I. The Distribution of Political Ambitions

Numerous theoretical formulations of electoral accountability assumed without empirical verification that elected officials desire reelection and/or advancement. It was considered a safe, realistic assumption. However, recent interviews with San Francisco Bay area city councilmen reported by Kenneth Prewitt⁵ have thrown the generality of this assumption into question. Among the more than four hundred councilmen interviewed in eighty-two cities, Prewitt found: (1) a number of interview responses suggesting a lack of concern by councilmen over their reelection, (2) a high frequency of appointment to and voluntary retirement from elected office,⁶ and (3) a sizeable proportion of councilmen (18 percent) who intended to retire from office.⁷

Prewitt summarized the consequences of his findings,

If periodic elections make democracy a workable form of government by holding the officeholder accountable to the public, then it is indeed very important to determine how many officeholders plan on standing for reelection. The burden of the chapter thus far is that the city councilman in the San Francisco area who expects or hopes for long political tenure is in the minority. A clear one-fifth already are serving their last term; among the majority who will run again for the council but do not have ambitions for a higher post are many who anticipate voluntary retirement from office within a term or so. If political ambition or the desire for reelection is the key element serving as a restraint upon public officials, then the voters in our municipalities frequently are being denied the means of democratic control.⁸

Operationally, volunteerism refers to a high frequency of appointments to and voluntary retirements from public office. While many qualifications are made, the thrust of Prewitt's analysis is clear: "volunteerism" is prevalent because many councilmen have no political ambitions and, hence, the public lacks one theoretical means for controlling the behavior of its local officials.

Prewitt cited no comparable data on other local legislators. However, he suggested that probably "the rate of indifference to reelection (in the neighborhood of 50 percent) is higher in the communities studied here

5. Prewitt, "Political Ambitions, Volunteerism."

6. Ibid., pp. 8-10.

7. Prewitt, *Recruitment of Political Leaders*, p. 176.

8. Ibid., p. 200.

than in other parts of the United States and other levels of government." ⁹ He suggested that officials of partisan municipalities and higher levels of government would demonstrate less indifference over their public careers.

The Political Ambitions of Buffalo Area Councilmen: Interviews with town and city councilmen of the partisan municipalities of the Buffalo area tend to confirm this prediction.¹⁰ Table 1 compares the ambitions of San Francisco area councilmen with those of the Buffalo area. In the Buffalo context those who wish to retire are few and the assumption of electoral accountability theories appears realistic. Buffalo area legislators desire reelection or advancement. In terms of Joseph Schlesinger's typology of political ambitions, "static," wanting reelection; and "progressive" ambitions, wanting to advance; are far more prevalent than "discrete" ambitions, wanting to retire.¹¹

Table 1. Proportion of Buffalo and San Francisco Bay Area Councilmen Having Different Political Ambitions.^a

POLITICAL AMBITIONS ^b	SAN FRANCISCO AREA ^c	BUFFALO AREA
Want to retire	18%	6%
Want to be reelected	53	33
Want to advance	29	61
	100%	100%
	(N=433)	(N=64)

^a The .12 difference of proportions in those who wish to retire is significant at the .01 level. Chi square for the table equals 26.3, which is significant at the .001 level.

^b San Francisco Bay Area councilmen were asked, "Do you expect to continue to run for the city council?" and "Are there any other political or governmental positions—local, state or federal which you would like to seek?" Buffalo area councilmen were asked a slightly different version of the first question, "Would you like to continue to run for the council?" For both surveys, councilmen answering "no" to both questions were classified as "wanting to retire." Those not answering "no" to the first but answering "no" to the second were classified as "wanting to be reelected." Those answering "yes" or "perhaps" to the second question were classified as "wanting to advance."

^c These figures were obtained from Prewitt, *The Recruitment of Political Leaders*, Table 8-1, p. 176.

9. Ibid., p. 201.

10. See note 4.

11. Joseph Schlesinger, *Ambition and Politics* (Chicago: Rand McNally, 1966), p. 10.

A look at the careers of the four Buffalo councilmen who say they would not like to run for reelection or seek another office does *not* show people who "treat council service as a 'citizen duty' in much the same manner as they treat service in the Chamber of Commerce, the PTA, the Library Board, and other such community service organizations."¹² One retiring councilman had served as a county legislator, a building code commissioner, district councilman, city council president, and congressman, beginning his career in 1941. The other councilmen will retire after 19, 18, and 8 years of service in the council. The careers of these men testify to the generalization that Buffalo area councilmen desire reelection or advancement.

Frequency of Appointments: Prewitt utilized frequency of appointment to the councils as an indicator of volunteerism. An appointment indicates that there has been a retirement for reasons other than electoral defeat and that a man has been placed in office without facing the electorate. Both factors detract from electoral accountability. In this respect also, Buffalo area councils appear less volunteeristic. While twenty-four percent of the San Francisco area councilmen were initially appointed to their office¹³ only twelve percent of the Buffalo area councilmen were initially appointed.

Looking more closely at the appointed councilmen indicates that appointment rates may be a poor indicator of volunteerism in the Buffalo area. Six of the eight appointed councilmen filled a vacancy which arose from the incumbent advancing to a higher office. The remaining two vacancies were due to death or retirement after long tenure in office. Appointment rates supply little evidence of volunteerism in the Buffalo area councils. Nor does appointment circumvent the election process. One appointee in the Buffalo area faced a primary prior to appointment, and all faced general elections the first November following their appointment.

A generally known story was related by an incumbent councilwoman who had earlier been refused an appointment to a town board:

My husband was a councilman. He died in an automobile accident two years through his four-year term. At his wake I could hear people talking about how they were going to try to take his place on the Board. I told a good friend of mine then that I'd be councilman. . . . I asked to be appointed to his seat and even promised to resign before the elections. But the Board was two Republicans and two Democrats then and they refused my request. Then I asked my

12. Prewitt, *Recruitment of Political Leaders*, p. 10.

13. Prewitt, "Political Ambitions, Volunteerism," p. 8.

own party for the endorsement and said that if I didn't get it I'd run in the primary. They refused—so I ran in the primary against two men and won. I managed to get the Conservative party endorsement also and won the general election . . . I love it!

In general, appointments are difficult to receive, requiring a record of service to the party and/or public career experience. Only one appointed councilman in the Buffalo area did not serve as a committeeman. However, he was previously a village mayor and earlier a trustee. Only three of the eight appointees did not hold a public position prior to appointment.¹⁴

Frequency of Voluntary Departure: In the Buffalo area, as in the San Francisco area, voluntary departure from office is more common than defeat in the general election. Table II indicates that in only ten percent of all elections in the Buffalo area for city and town councilman since 1951 was the incumbent defeated in the general election. This is equivalent to defeat of the incumbent in 15 percent of the elections in which he ran. This rate is five percent lower than in the San Francisco area councils, but five percent higher than in Congress.¹⁵ Election defeat in the San Francisco Bay area is *relatively* frequent although in absolute terms defeat is clearly the exception.¹⁶

The reasons for an incumbent not running in the general election are so varied, however, that this rate of voluntary departure carries no clear implications regarding the extent of volunteerism. Included in these figures are primary defeats, decisions to retire fearing defeat, running for other offices, retirement due to age or poor health, as well as more volunteeristic reasons, such as "having done one's duty." For example, *at least* twenty-seven percent of the nonincumbent races in the city of Buffalo

14. This evidence suggests that frequency of appointments would not be a valid indicator of volunteerism in the Buffalo area. However, the relationships discovered between "volunteerism" and dependent variables related to accountability theory provide some checks of construct validity in the San Francisco study. Construct validity suggests that "volunteerism" is adequately measured in that setting. See *Ibid.*, Table 5, p. 11.

15. See Prewitt, "Political Ambitions and Volunteerism," p. 9. Time periods are different for each estimate. San Francisco data cover ten years, Buffalo data are since 1951 and the congressional data are from 1924-1956 taken from David Leuthold, *Electioneering In a Democracy* (New York: John Wiley and Sons, 1968), p. 127.

16. Better comparative data to that offered by Prewitt are not presented because it was not clear exactly how Prewitt's estimates were obtained. "Political Ambitions, Volunteerism," p. 10.

Table II. Percentage of Various Election Outcomes in Buffalo Area Local Legislative Races Since 1951.*

GENERAL ELECTION OUTCOME	PERCENTAGE OF ELECTIONS
Incumbent did not run—his party won	24%
Incumbent did not run—his party lost	11
Incumbent won	55
Incumbent lost	10
	100%
	(N=387)

* Calculated for all elections since 1951 to the twelve town and city councils from which members were interviewed.

resulted from the incumbent running for a higher office.¹⁷ Also, in about one-third of all the nonincumbent races, the incumbent's party was defeated. This suggests that anticipation of defeat may account for a large number of decisions not to seek reelection.

In the Buffalo setting, the basic assumption of accountability theory appears realistic. Councilmen want to be reelected or advanced to a higher office. The "norm of volunteerism" is clearly less prevalent in the Buffalo area councils. However, an important fact remains. More than eighty percent of the San Francisco area councilmen planned to seek another term or a higher office. In any statistical sense, therefore, the Bay area councilmen also tend to desire reelection and advancement.

II. Explaining the Different Political Ambitions of Buffalo and San Francisco Area Councilmen

What accounts for the different political ambitions of councilmen in the two systems? Here, some of the major explanations are examined. On the basis of this analysis, speculations are made about the conditions associated with different political ambitions. Because political ambitions are central to accountability theory and most easily measured at the individual

17. The count is based on councilmen I knew had advanced. A complete check of all primary and general election data was not deemed necessary.

level, the analysis focuses on ambitions as the dependent variable.¹⁸ Two measures of political ambitions are utilized. (See Appendix.) A static ambition scale taps the degree councilmen desire reelection. A progressive ambition scale measures the degree councilmen desire advancement to another office.

The most salient differences are those between the nonpartisan, non-salaried, San Francisco area councilmen and the partisan, salaried councilmen in the Buffalo area. Also, in the Buffalo area, councilmen were not sampled from towns below 10,000 population, while the San Francisco sample includes cities with populations approaching 300.

Opportunity Structure Hypothesis: The "opportunity structure" refers to the chances for achieving different offices. Determination of opportunity structures is a question of defining the social and political career patterns of an office. According to Schlesinger, those individuals who enjoy relative political advantages, who have relatively greater chances of achieving a particular office, are also more likely to desire it.

My basic inference, then should be clear: the ambitions of any politician flow from the expectations which are reasonable for a man in his position.¹⁹

In this respect, Prewitt found that about two-thirds of the city councilmen in cities with county seats (and relatively more political opportunities) "have political ambitions while only one-fourth of the councilmen in other cities think in terms of moving to a higher level office."²⁰ There are no comparable within-system differences in the Buffalo area.²¹

A more salient factor relating to the opportunity structure is the non-partisan nature of the San Francisco area councils. Partisan councils exist

18. An alternative would be the use of "volunteerism" indicators such as frequency of appointment to and voluntary retirement from each council. These indicators are based on the council as the unit of analysis.

19. *Ambition and Politics*, p. 9.

20. *Recruitment of Political Leaders*, p. 186.

21. Here, "within-system relationships" refer to relationships among the various properties of councilmen within each of the two metropolitan areas. The relationship between age and desire for reelection among Buffalo councilmen is a relationship within the Buffalo system utilizing individuals as the unit of analysis.

When this study utilizes the Buffalo area as a unit of analysis in comparison to the San Francisco area, we refer to "between-system relationships." Here we have only two objects, corresponding to each area or "system." For example, Buffalo area councilmen tend to be younger than Bay area councilmen.

These terms are more generally discussed by Adam Przeworski and Henry Teune, *The Logic of Comparative Social Inquiry* (New York: John Wiley and Sons, 1970).

in a context of horizontal and vertical links to other political units and politicians. According to Prewitt:

From the viewpoint of the councillor, the structural picture is one in which the council is the natural terminus for his career. In this regard a councilman is unlike elected officials in partisan positions. . . . The organized political world in which ward committeemen or state legislators live clearly points them to the next level of officialdom. Generally, councilmen have no such clear lines to the next higher office; they are not on a career ladder for which the next rung is identified by an organizational chart.²²

While the nonpartisan councils of San Francisco are a natural terminal point, the Buffalo area partisan councils are closely nested within reasonably clear career lines. As one partisan town councilman noted:

Politics is being in the right place at the right time and you never really know what's ahead. I wouldn't be afraid to run for any office. If you study their careers you'll find that a number of congressmen served as local councilmen or in the State legislature prior to moving to Congress. There are many examples locally of that. . . .

Although objective opportunities for advancement from a local council are not excellent,²³ they are probably better than opportunities in a nonpartisan council. Therefore, while not always the case, one would expect the partisan office to be intrinsically more desirable to the politically ambitious and contribute to a higher probability of developing "progressive" ambitions (desiring advancement) than a nonpartisan

22. *Recruitment of Political leaders*, p. 187.

23. I have done an analysis of the structure of opportunities in New York State quite similar to Schlesinger's study at the national level, *Ambition and Politics*. If one simply looks at the percentage of various office-holders whose immediately prior office was local elective (councilman, supervisor, mayor, trustee) some indication of objective opportunities can be found. Following the careers of United States congressmen from 1968-1972 in all of New York State and from 1948-1972 in Erie County, New York; 14 percent of them had a local elective office immediately prior to their election to Congress. 22 percent of those serving in the New York State Senate or Assembly from 1968-1971 served in a local elective office immediately prior to the state position. A bleaker picture is gained from other careers. Only 2 percent of those officials serving in either state executive positions (governor, lt. governor, comptroller, or attorney general) 1948-1972 or judicial positions (Court of Appeals or Claims judges) 1970, or as state administrative department or commission heads 1970, served as local elective officials prior to their higher office. The sources for this information were volumes of the *New York State Red Book*, and *Congressional Directory*.

office. The opportunity structure hypothesis thus provides one plausible explanation for the San Francisco-Buffalo differences. The partisan councils of the Buffalo area provide relatively greater opportunities for advancement to other offices; hence, relatively more ambitious councilmen are found in the Buffalo area councils.

The opportunity structure hypothesis also leads to the expectation that a politician's age will relate to his ambitions.²⁴ As noted above, three of the four Buffalo councilmen with discrete ambitions had served long careers in public office. Each had reached that stage of his life cycle in which future opportunities were diminished and each had made plans for retirement. Prewitt discovered a negative relationship between age and political ambitions in the San Francisco area.²⁵ Table III presents the relationships between various life-cycle indicators and the two types of political ambitions in the Buffalo area.²⁶ Within-system findings for Buffalo match those for San Francisco. Age has a depressing effect on ambitions. Older and more tenured councilmen are less likely to desire reelection or advancement. Age seems to be the determining factor; the partial correlation between tenure in office and progressive ambitions when controlling for age is positive. Relatively young councilmen with longer tenures in the council want to move up.

Table IV compares age distributions for the two systems. The San Fran-

Table III. Pearson Product Moment Correlations Between Static and Progressive Ambitions and Life-Cycle Variables for Buffalo Area Councilmen^a

LIFE-CYCLE VARIABLE	STATIC AMBITION SCALE	PROGRESSIVE AMBITION SCALE
Age of Councilman in Years	-.24	-.47
Tenure in Office Scale ^b	-.26	-.17
Tenure Scale Controlling Age	-.15	.14

^a Correlations underlined are significant at or below the .05 level, one-tailed test. See the Appendix for a description of the ambition variables.

^b The "Tenure Scale" was developed by summing the standard scores (mean of zero, standard deviation of 1) of two variables (number of years as councilman and number of terms in office) and then restandardizing this sum.

24. Schlesinger, *Ambition and Politics*, chapter 9, pp. 172-193.

25. *Recruitment of Political Leaders*, p. 188.

26. See the Appendix for a description of these measures.

Table IV. A Comparison of the Ages of Buffalo and San Francisco Area Councilmen.^a

Age Group	PERCENTAGE OF COUNCILMEN	
	San Francisco Sample ^b	Buffalo Sample
Under 36	6%	11%
36-45	30	43
46-55	37	32
over 55	27	14
	100%	100%
	(N=360)	(N=64)

^a As one basis for evaluating the differences between samples, the Chi square equals 8.06, which is significant at the .05 level, degrees of freedom equal to 3.

^b Constructed from Prewitt, *Recruitment of Political Leaders*, Table 8-6, p. 188.

cisco area councilmen are significantly older as a group than Buffalo area councilmen. This age difference between the two samples could be an important explanation of the different distribution of political ambitions. Both factors, age and partisanship, suggested by the opportunity hypothesis fit theoretical expectations. The younger partisan councilmen have relatively more career opportunities and are more likely to desire reelection or advancement.

Cost Hypothesis: Gordon Black has used two surrogate measures of the risk sustained in seeking office (size of city and competition for office) to reflect the relative investment costs of San Francisco area councilmen. Black reasoned that the larger the city and greater the competition for the office the more the individual must invest in achieving the office. Hence only those people with real commitment to a political career would take the risks involved. Therefore, in the more competitive seats, in larger municipalities, the incumbents have probably made (and were willing to make) greater investments to reach their office and are thus less likely to give it up willingly. Black found these relationships to hold in the San Francisco area councils,²⁷ the incumbents in more competitive seats in larger cities being more likely to desire reelection or advancement.

To evaluate these relationships within the Buffalo setting, Table v pre-

27. Black, "A Theory of Political Ambition," pp. 867-68.

Table V. Pearson Product Moment Correlations and First Order Partial Correlations for Buffalo Area Between Cost and Ambition Variables with Controls for Age^a

COST VARIABLE	STATIC AMBITION SCALE		PROGRESSIVE AMBITION SCALE	
	r	Age controlled	r	Age controlled
Size				
Town or City Size ^b	.13	.12	.37	.41
Percentage Urban ^c	.01	.02	.19	.25
Size of Council District ^d	-.03	.03	.17	.35
Competition				
Registration Advantage ^e	-.06	.00	-.06	.08
Cyclical Competition ^f	.09	.03	.09	-.03
Percent Vote Last Election ^g	.23	.22	.07	.04
Absolute Win Margin ^h	-.04	.02	.15	.31

^a Zero-order and first-order partial correlations underlined are significant at the .05 level with a one-tailed test. Several relatively high coefficients are not significant because they are in the wrong direction. Ambition variables are described in the Appendix.

^b Total population of city or town as reported in First Count 1970 Census Data.

^c Percentage of persons in city or town living in urban areas according to 1970 First Count Census.

^d Total number of registered voters in councilman's electoral district in 1972.

^e Number of people in council district registered in the incumbent's party over number of major party registrants (Democratic plus Republican) in 1972.

^f Percentage of all elections in district over past 20 years in which either the incumbent's party lost, or the incumbent lost.

^g Incumbent's absolute vote in last election over his vote plus highest loser's vote.

^h Incumbent's absolute vote in last election minus highest loser's vote.

sents the relationships between several measures of competition, constituency size, town or city size, and the dependent ambition variables. The zero-order relationships between the size-competition variables and the ambition scales are low, and several relationships between competition and ambitions are in the wrong direction. For example, the higher the incumbent's percentage of the vote the more (not less) likely he was to desire reelection. However, controlling for age, the partial correlations suggest that councilmen in larger, more urbanized towns and cities, with more voters in their district are more likely to desire advancement to a

higher office. This total pattern of relationships suggests that the cost hypothesis does *not* hold up. The more competitive districts do not spawn more officials with static and progressive ambitions. In contrast, the opportunity hypothesis is possibly more applicable. The councilmen in the larger more urban areas may have more opportunities. They are generally located in the seats of power within county party organizations. They are also likely to become better known, get more news coverage, and thus have a public image. This adds up to a somewhat better opportunity for advancement and greater likelihood of progressive ambitions.²⁸ While expectations based on the cost hypothesis do not appear, the observed pattern of relationships is reasonable in terms of the opportunity hypothesis.

Benefits Hypothesis: John Soule speculated that the greater willingness of Michigan state legislators to return to the legislature as opposed to Connecticut legislators (82 percent to 65 percent) was related to the relatively higher salaries, expense accounts, larger offices, greater secretarial help, and the full-time position of Michigan legislators.²⁹ Possibly, the difference between the Buffalo and Bay area samples is a function of greater benefits being provided Buffalo area councilmen. The nonpartisan councils of the San Francisco area are nonsalaried while all town and city councilmen of Buffalo are salaried, varying from \$2,000 to \$23,000 per year. The benefits hypothesis would predict some covariation between salary and ambitions within this range of salaries. Table VI presents the observed relationships. Surprisingly, there is no positive relationship between salary and desire for reelection. Controls for age and city size do not alter that finding. There is a positive relationship between salary and desire for advancement. But the benefits hypothesis does not lead to such a prediction. This finding reflects the higher salaries of councilmen in the larger cities and towns whom we have just discussed as having somewhat greater opportunities—hence, greater desire for advancement. Keep in mind that his relationship, as well as that for city size, has been examined within a limited range. Beyond this range the relationship may change.

28. While city size is positively related to political ambitions, the differences in political ambitions between the two samples can not be explained away on this basis. Comparing councilmen in both samples from cities and towns over 30,000 indicates that San Francisco area councilmen are still less ambitious. Fifteen percent more Bay area than Buffalo area councilmen in large cities answered "no" to the question: "Are there any other governmental positions—local, state, or federal which you would like to seek?" The responses of Bay area councilmen from large cities can be found in Black, "Ambition Theory," Table 7, p. 157.

29. John W. Soule, "Future Political Ambitions and the Behavior of Incumbent State Legislators," *Midwest Journal of Political Science* (August, 1969), pp. 439–54. Soule was comparing his findings with those of James David Barber, *The Lawmakers* (New Haven, Connecticut: Yale University Press, 1965).

Table VI. Pearson Product Moment Correlations and Partial Correlations Between Salary and Political Ambitions in the Buffalo Area.^a

	STATIC AMBITION SCALE	PROGRESSIVE AMBITION SCALE
Salary ^b	-.00	<u>.29</u>
Salary controlling Age	.01	<u>.37</u>
Salary controlling City Size	-.24	<u>-.07</u>
Salary controlling Age and City Size	-.20	.03

^a Underlined coefficients are significant at the .05 level by a one-tailed test.

^b The range of salaries is from \$2,000 to \$23,000 per year depending on council and formal position. The average salary is around \$8,200.

Table VII summarizes the predicted and observed relationships between independent variables discussed above and political ambitions. Only a few of the most plausible explanations of the between-system differences in political ambitions have been examined. Other explanations such as systematic differences in the authority and prestige of council office between the two systems could be entertained. However, the Buffalo data used in conjunction with published materials rising out of the San Francisco area study do not readily address other hypotheses.

Table VII indicates that the best explanation of the different distributions of political ambitions is the opportunity hypothesis. All observations tend to correspond to expectations derived from this hypothesis. Also, inconsistencies in testing the cost hypothesis can be explained by relating city size to opportunities for advancement. Thus added support is given opportunity theory, advanced by Schlesinger who attempted to speculate indirectly on ambitions by examining the structure of political opportunities.³⁰

III. Conclusions.

Do elected public officials want to remain in office or advance to a higher office? On the basis of data presented here on local legislators in two different metropolitan areas, the answer is yes. Most councilmen in both systems desire to remain in office. Beyond this, there are conditions under

30. *Ambition and Politics*.

Table VII. Predicted and Observed Between and Within-System Relationships Between Political Ambitions and Selected Independent Variables.^a

INDEPENDENT VARIABLE	PREDICTED RELATION		OBSERVED RELATIONSHIPS					
			Between Systems Relation		Within Systems Relation		STATIC PROGRESSIVE	STATIC PROGRESSIVE
	STATIC PROGRESSIVE	PROGRESSIVE	STATIC PROGRESSIVE	PROGRESSIVE	San Francisco	Buffalo		
<i>Opportunity</i>								
Partisanship	+	+	+	+	b	b	b	b
Age	-	-	-	-	c	-	-	-
<i>Cost</i>								
Size of City or District	+	+	+	+	+	+	0	+
Competitiveness	+	+	c	c	+	+	0	0
<i>Benefits</i>								
Salary	+	0	+	+	b	b	0	+

^a Relationships are represented by the symbols "+", "-" indicating a positive relationship, "—" indicating a negative relation, and "0" indicating no relationship.

^b No covariation;

^c Relationship is unknown due to the reliance on published materials.

which this assumption of accountability theory is more likely to hold. Public officials are more likely to desire reelection or advancement if they have better career opportunities. The younger legislator in a heavily populated area of a partisan system is more likely to have political ambitions than his older counterpart in a less populated nonpartisan municipality. Data did not support hypotheses that councilmen investing more to achieve office or receiving greater benefits from office would be more likely to have political ambitions.

From the data presented here, "the norm of volunteerism" would possibly lead explanations of the linkage process between citizens and public officials in the wrong direction. If linkage fails, the reason is not likely to be that public officials do not work to gain their positions or wish to retain them. While voluntary retirement is the "norm" or most frequent method of retirement in Congress, as well as in the San Francisco and Buffalo area councils, accountability theory can not be rejected on that basis. "A desire to remain in public office" tends to be the norm in every public arena in which the ambitions of incumbents have been tapped.³¹ There will be variations. These differences in the distribution of political ambitions have here been used to provide some guidelines for speculation as to when the desire for reelection or advancement will be more prevalent.

31. This desire is not a burning passion that consumes the thoughts and lives of politicians. Rather, most councilmen simply like their position, would be disappointed if defeated and would like to have a higher office if the opportunity arose.

Table VII. Predicted and Observed Between and Within-System Relationships Between Political Ambitions and Selected Independent Variables.^a

INDEPENDENT VARIABLE	PREDICTED RELATION		OBSERVED RELATIONSHIPS			
			Between Systems Relation		Within Systems Relation	
	STATIC	PROGRESSIVE	STATIC	PROGRESSIVE	San Francisco	Buffalo
<i>Opportunity</i>						
Partisanship	+	+	+	+	b	b
Age	-	-	-	-	c	-
<i>Cost</i>						
Size of City or District	+	+	+	+	+	+
Competitiveness	+	+	c	c	+	0
<i>Benefits</i>						
Salary	+	0	+	+	b	0

^a Relationships are represented by the symbols "+," indicating a positive relationship, "-" indicating a negative relation, and "0" indicating no relationship.

^b No covariation; the variable did not take on different values within this group of councilmen or between the two areas or systems.

^c Relationship is unknown due to the reliance on published materials.

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Appendix

Description of Political Ambition Measures

Here, the construction and characteristics of the various measures of political ambitions are described. Below are listed the items, in the order appearing on the interview, which were used to develop the ambition scales. Only percentage distributions of the 64 respondents are cited.

ITEM	VALUES	PERCENTAGE DISTRIBUTION
(1) Would you like to continue to run for the council?	No	9
	Perhaps	20
	Yes	70
(2) About how many more terms would you be willing to serve as a councilman?	None	9
	One	31
	Other	59
(3) Are there any other political or governmental positions—local, state, or federal—which you would like to seek?	No	39
	Perhaps	25
	Yes	36
(4) Which ones? (Highest level mentioned)	None	39
	Other local or	
	County	23
	State	27
(5) If you had the opportunity, what is the highest political or governmental office you would like to achieve in your political career?	National	11
	Council	14
	Other Local	33
	State	27
	National	27

Instructions: (For items 6 to 20): On this form are listed various types of offices. Please rate each office according to how desirable it would be to achieve that office.

ITEM	PERCENTAGE INDICATING			
	Not Desirable	Somewhat Desirable	Very Desirable	Very Desirable
(6) Reelection to my present office	5	9	28	58
(7) County Legislator	48	28	17	6
(8) State Assemblyman	52	19	19	11
(9) State Senator	47	17	9	27
(10) U. S. Congressman	59	3	14	23
(11) Mayor or Town Supervisor	34	23	22	19
(12) County Executive	78	11	5	6
(13) City Judge	94	3	2	2
(14) Town Justice	94	2	5	0
(15) County Judicial Position	95	0	3	2
(17) State Judicial Position	95	0	2	3
(17) Town or District Party Chairman	88	9	3	0
(18) County Party Official	72	19	6	3
(19) City or Town Appointive Office	56	23	16	5
(20) County or State Appointive	53	19	23	5

ITEM	VALUES	PERCENTAGE DISTRIBUTION
(21) He wants to be reelected	False description of me	6
	Somewhat False ?	2
	?	5
	Somewhat True	19
	True description of me	66
(22) He's willing to serve another term	False description of me	6
	Somewhat False ?	0
	?	5
	Somewhat True	19
	True description of me	67

The above items were precombined to form the following variables and variables were combined to form the following scales by summing stan-

standardized scores, then restandardizing to a mean of 50 and standard deviation of 10.

ITEMS PRECOMBINED	VARIABLE	SCALES
1	Like to Continue	Static Ambition Scale
2	Willing to Continue	
6,21,22	Reelection Desirable	
3	Like to Advance	Progressive Ambition Scale
4	Level Like to Seek	
5	Level like to Achieve	
Average Desirability Rating of items (7 thru 20)	Desirability of Advancement	

It was determined that static ambitions, desiring to remain in office, and progressive ambitions, desiring to move to another office, were independent of each other and properly formed separate scales. Correlational analysis shows that the static and progressive variables clearly form identifiable clusters of interrelated variables. Factor analysis also supports the finding of two statistically independent types of political ambitions. Cronbach's alpha for the Static Ambition Scale equals .86, and for the Progressive Ambition Scale equals .93. The correlation between the two scales is .21.

Review-Articles

Can Deterrence be Left to the Deterrent?

Arthur D. Larson, *National Security Affairs: A Guide to Information Sources* (Detroit: Gale Research Company, 1973), 411 pp.

James E. Dougherty, *How to Think About Arms Control and Disarmament* (New York: Crane Russak and Company, 1973), 202 pp.

Robert M. Lawrence, *Arms Control and Disarmament: Practice and Promise* (Minneapolis: Burgess Publishing Company, 1973), 72 pp.

Ralph Sanders, *The Politics of Defense Analysis* (New York: Dunellen, 1973), 361 pp.

Alton H. Quanbeck and Barry M. Blechman, *Strategic Forces: Issues for the Mid-Seventies* (Washington: The Brookings Institution, 1973), 94 pp.

Wynfred Joshua, *Nuclear Weapons and the Atlantic Alliance* (New York: National Strategy Information Center, 1973), 60 pp.

Morton A. Kaplan, ed., *Strategic Thinking and its Moral Implications* (Chicago: The University of Chicago Center for Policy Study, 1973), 155 pp.

George H. Quester, *Cornell University*

"War is too important to be left to the Generals." This much-quoted aphorism of Clemenceau obviously will require some alteration for the "era of peace" we now allegedly are entering, or the era of mutual deterrence or mutual assured destruction (MAD). If the threat of World War III is to be less and less obvious, can deterrence simply be left to the deterrent?

There is definite evidence that the academic, like the man on the street, is devoting less attention to strategic questions now than in the late 1950's and early 1960's. The number of journal articles about such topics is