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that the Senator from Texas (Mr. Bentsen), the Senator from Indiana (Mr. Hartke), the Senator from Hawaii (Mr. Inouye), and the Senator from Utah (Mr. Moss) are necessarily absent.

I further announce that the Senator from Delaware (Mr. Biden), the Senator from Arkansas (Mr. Fulbright), the Senator from Minnesota (Mr. Humphrey), and the Senator from Georgia (Mr. Talmadge), are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota (Mr. Hart), and the Senator from Delaware (Mr. Biden), would each vote "yea."

Mr. GRiffin. I announce that the Senator from Kentucky (Mr. Coe), the Senator from Kansas (Mr. Dole), the Senator from Colorado (Mr. Dominick), the Senator from Arizona (Mr. Goldwater), the Senator from New York (Mr. Javits), the Senator from Maryland (Mr. Mathias), the Senator from Kansas (Mr. Pearson), and the Senator from Alabama (Mr. Stevens), are necessarily absent.

I also announce that the Senator from Tennessee (Mr. Brooke), the Senator from Massachusetts (Mr. Teague), the Senator from Hawaii (Mr. Fong), and the Senator from Illinois (Mr. Percy), are absent on official business.

I further announce that the Senator from Oklahoma (Mr. Bellmon), is absent due to illness.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. Brooke), the Senator from Kentucky (Mr. Coe), the Senator from New York (Mr. Javits), the Senator from New York (Mr. Javits), the Senator from Maryland (Mr. Mathias), and the Senator from Kansas (Mr. Dole), would each vote "yea."

The result was announced—yeas 55, nays 24, as follows:

[NO. 305 LEG.]

YEAS—55

Abourezk  Giffen Parkwood
       Baker   Hart Pastore
       Bartlett Haskel Pett
       Baugh  Haskell Prestonside
       Beall  Huddleston Randolph
       Bibb   Jackson Ribich
       Burdick  Kennedy Roth
       Byrd   Magnuson Schweiker
       Byrd,  Harry P., Jr. Manaseff Scott, Hugh
       Byrd, Robert C. McCullian South
       Cannon Mclntire William L.
       Chiles  McGee Staffore
       Church  McGovern Stevenson
       Clark  Metcalf Symington
       Cranston Metzenbaum Tell
       Domenici Mondale Tunney
       Eagleton  Montoya Weicker
       Ervin  Muskie Williams
       gravel  Nelson Young

NAYS—24

Aiken  Fannin Johnson
       Allen  Gurney Long
       Bennett Hansen McIntyre
       Buckley Hathaway Nunu
       Case  Hema Sparkman
       Cotton  Hollings Sienna
       Curtis  Hruska Thummler
       Eastland Hughes Tower

NOT VOTING—21

Bellone Dominick Javits
       Bentsen  Ping Mathias
       Biden  Putbright Moss
       Brock  Goldwater Pearson
       Brooke  Hartke Percy
       Cook  Humphrey Stevens
       Dole  Inouye Talmadge

So the resolution (S. Res. 401), as modified, was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the resolution, as modified, was agreed to.

Mr. CRANSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the names of the Senator from Pennsylvania (Mr. Scranton) and the Senator from New York (Mr. Javits) be added as co-sponsors of the resolution.

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

Mr. ROBERT C. BYRD. I ask unanimous consent that the resolution, as amended, be printed.

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

S. Res. 401

Resolution expressing the sense of the Senate that Presidential pardons not be granted to individuals accused of committing criminal offenses in connection with the Presidential campaign and election of 1972.

Whereas the truth with respect to criminal offenses committed or allegedly committed by individuals during the Presidential campaign and election of 1972 will best be made known to the American people through the trial of individuals accused of committing such offenses;

Whereas criminal proceedings with respect to individuals accused of committing offenses during the Presidential campaign and election of 1972 are underway in the courts of the United States;

Whereas material witnesses may be expected to testify with respect to such offenses during the course of the various criminal proceedings;

Whereas a Presidential pardon to any or all those individuals who stand accused of such criminal offenses would thwart the judicial process;

Whereas a Presidential pardon for individuals accused of such criminal offenses would effectively conceal the whole truth of what happened during the Presidential campaign and election of 1972 from the American people: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President not grant a pardon hereafter to any individual accused of any criminal offense arising out of the Presidential campaign and election of 1972 prior to the indictment and the completion of the trial and any appeal of such individual.

Sec. 2. The Secretary of the Senate shall transmit copies of this resolution to the President.