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Mr. MONDALE. Mr. President, on October 20 this country experienced what has come to be known as the "Saturday Night Massacre." The President caused Special Prosecutor Archibald Cox to be fired; Attorney General Elliot Richardson resigned because he would not fire Cox; and Deputy Attorney General William Ruckelshaus was also fired for refusing to fire Cox. The "Massacre" was precipitated by the President's refusal to surrender the so-called Watergate tapes and Special Prosecutor Cox's insistence on using the courts to force the President to surrender the tapes. Following the massacre an unprecedented public outcry arose. The citizens of this Nation, political leaders from around the country, and people close to the President lent him an unshakeable message. This country does not allow anyone—including the President of the United States—to be above the law. The events of October 20 created a sense of turmoil and outrage in this country that is still evident in the mail I receive daily.

The country saw that a complete investigation of the Watergate affair was necessary, and they told the President that they would not tolerate sabotage of that investigation.

It is against this background that I read the reports in this morning's Washington Post and New York Times of Ronald Ziegler's attacks on the Special Prosecutor. This President has treated him with great respect. As we all know, the President, after the discharge of Mr. Cox, appointed Mr. Leon Jaworski as the new Special Prosecutor, and Mr. Jaworski went to work with the aid of the Cox staff. Although I personally find the arrangement by which the current Special Prosecutor is serving unacceptable and I am, therefore, co-sponsoring S. 2611, which would create a completely independent Special Prosecutor, until such an independent prosecutor is appointed hereinafter, Mr. Jaworski and his staff will continue to pursue the Watergate investigation. The men and women on the Special Prosecutor's staff have the day-to-day responsibility for one of the most important criminal investigations in American history.

I am, therefore, deeply disturbed to find the White House attacking, not the Special Prosecutor this time, but the Special Prosecutor's staff. According to the articles, which I would ask to have printed in the Record, Mr. Ronald Ziegler stated yesterday that members of the Special Prosecutor's staff have an "in-grained suspicion and visceral dislike for this President and this administration."
If this harsh expression of White House dissatisfaction with the Special Prosecutor's staff merely represents an inadvertent outburst caused by a sense of frustration over the events of the past week, Mr. Ziegler should say so. If, however, the White House does intend to raise questions about the competence, fairness, and objectivity of the Special Prosecutor's staff, it should do so with specific charges and examples. The Special Prosecutor's staff is charged with an important responsibility—sifting through those guilty of criminal offenses in the Watergate and related matters to justice. Mr. Cox assembled, and Mr. Jaworski intervened, a highly trained and extremely dedicated individuals. Unfounded or unsupported charges against the staff serve no useful national purpose.

My gravest fear, however, is that the remarks made by Mr. Ziegler yesterday are in some way an attempt to lay a groundwork for an administration attempt to dismiss or force the discharge of certain members of the Special Prosecutor's staff. I say attempt because I do not see any legal basis for such a move, and I am seriously dismayed if, in fact, thought is being given to such an action.

No step could more easily throw this Nation back into the turmoil that we experienced over the weekend of October 28 than an attempt by the White House to tamper with the Special Prosecutor's staff. Such an action would only serve to further undermine President credibility and further undermine the public's faith in the justice system. The Watergate investigation will eventually result from our system of criminal justice.

Mr. President, I ask unanimous consent to have these articles printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

ZIEGLER CITES "MISTAKES" BY LEGAL STAFF (By Carroll Kilpatrick)

The White House legal staff has made "some serious mistakes" in assembling a counsel's office to work on Watergate issues, Ziegler said yesterday.

John J. Sullivan, a Chicago attorney, judge on the appellate court of Illinois, and an old Democrat who has known Mr. Nixon for years, has joined the counsel's office to work on Watergate issues, Ziegler said after what appeared to be a rebuke to J. Fred Buzhardt, who has handled much of the court work involving Watergate.

Buzhardt is expected to remain in the counsel's office, but Leonard Garment, who had assisted Buzhardt in the legal work, is expected to leave the counsel's office and resume his work as an adviser on cultural and charity affairs.

When Buzhardt was told at U.S. District Court here of Ziegler's comments, the counsel said he "wouldn't disagree" with the president's statement that it was "a mistake." Buzhardt added, "I've never pretended I was perfect."

Buzhardt said he expected to remain on the Watergate case. Ziegler also said Buzhardt would continue in the counsel's office but would delegate authority to others being brought in, including Sullivan.

In a lengthy and impassioned defense of the President together with an attack on his critics, Ziegler assailed members of the Watergate special prosecutor's staff as biased and politically motivated.

Mr. Ziegler, briefing the press because of a subpoena of Mr. Nixon's financial and tax returns, said that does not mean the president is dissatisfied but that he recognizes additional help is needed.

Ziegler said that H. Chapman Rose, former special prosecutor and a Cleveland attorney, and Kenneth W. Gemmill, a Philadelphia attorney and former counsel at the Internal Revenue Service, have stepped forward of their own volition to assist in President Nixon's financial and tax reporting.

Ziegler said, "we have provided all the crucial facts that we know. The facts are and now it is said we should give more and more."

"We said earlier that once we provided the subpoenaed tapes that that won't satisfy some and there would be more requests." Some persons want to "scavenge through and ravage all of the President's conversations," Ziegler said.

The press secretary promised that the White House would make public next week a full report on Mr. Nixon's financial and tax position that would be "verifiable and accurate."

But he hinted that copies of the President's income tax returns would not be made available.

Tapes of presidential conversations turned over to U.S. District Court Judge John J. Sirica last week, including ones with an 18-minute gap, are "intact," Ziegler maintained. "There has been no tampering with the tapes."

He conducted the regular White House news briefing yesterday in the absence of his deputy, Gerald L. Warren, who was ill. Ziegler is one of the staff members working on the financial report and other documents Mr. Nixon has promised in answer to charges of corruption in his administration.

ZIEGLER ASSAILS JAWORSKI STAFF (By R. W. Apple, Jr.)

WASHINGTON—The White House bitterly attacked the staff of the special Watergate prosecutor today, charging that it has displayed an "ingrained suspicion and visceral dislike for this President and this Administration."

Ronald L. Ziegler, the presidential press secretary, who has emerged in recent weeks as one of the President's key spokesmen, described Leon Jaworski, the prosecutor, as "a very respected man, a very fair man."

But he said: "I have very serious questions about the staff of the special prosecutor's office, though, in political terms."

Mr. Ziegler, briefing the press because of a subpoena of Mr. Nixon's homes, the International Telephone and Telegraph Corporation case, the President's taxes, and so on. These are to be disclosed to the President's lawyers, the press secretary suggested.

To those familiar with the Washington political code, Mr. Ziegler's veiled remarks seemed to add up to a demotion for Mr. Buzhardt. And other White House sources said control of the case was expected to pass to Judge John J. Sirica, the Philadelphia attorney and former Democrat who has known Mr. Nixon since his Navy days. Judge Sirica is already working at the Executive Office Building.

Mr. Sullivan was identified by Mr. Ziegler as one of the members of an informal working group that is assembling a series of statements about Mr. Nixon's homes, the International Telephone and Telegraph Corporation case, the President's taxes, and so on. These are to be disclosed to the President's lawyers, the press secretary suggested.

Neither Mr. Ziegler nor Melvin R. Laird, a Defense Department official who has served as the President's top speech-writing office since the promotion of Raymond K. Price Jr.

Mr. Laird said he expected Mr. Nixon to donate all data on the full extent of his charitable contributions.

The former Defense Secretary also said that recent revelations about a gap in one of the Watergate tapes had undercut the President's Operation Candor to some unmeasurable degree. But he predicted, as he often has in the past, that Mr. Nixon would be cleared of any wrongdoing.

Mr. Ziegler's remarks about the prosecutorial staff followed complaints earlier this
week from Mr. Karren about alleged leaks from that staff, and reflected continuing White House bitterness about the liberal Democratic politics of the team originally assembled by Mr. Ziegler, the first special prosecutor, who was dismissed.

They appeared to suggest trouble ahead between the White House and Mr. Jaworski, because Mr. Ziegler had given the White House the essential trust and admired the lawyers he inherited from Mr. Cox.

The point came up at the briefing this morning, when a reporter, noting that Mr. Ziegler seemed to be trying to dissociate Mr. Jaworski from his staff, remarked that Mr. Jaworski "has spoken kindly" of his associates.

"Well, I speak unkindly of them," Mr. Ziegler replied.

Mr. Ziegler rejected Mr. Jaworski's suggestion that all the White House tapes be turned over to the courts for safekeeping to prevent further mishaps, terming the suggestion "nonsense."

He said that the White House had argued all along that if it provided any of the tapes, the confidential materials, it would simply lead to demands that would "raze the files."

THE RETIREMENT OF HAROLD E. MERRICK

Mr. PASTORE. Mr. President, one of the great personal satisfactions of service in the Senate of the United States is that of experiencing the human worth and warmth of one’s colleagues and associates.

We would not be worthy of our office if we did not know the exaltation of achieving something to make life happier or to secure for the times of our responsibility.

And we would be less than grateful if we did not acknowledge 'he ability, industry, and integrity of the devoted staff whose skills are inseparable from the successes we Senators and our committees may achieve on this Senate floor.

A fine tradition of the Senate—on the passage of an important measure—on the conclusion of the floor discussion and voting in years to come, will be the names and credit the contribution of the staff who otherwise would be the anonymous contributors of the history that legislation makes.

My praise is general—though my thoughts are especially of the Appropriations Committee—and specifically of a dear friend—Harold Merrick.

Today—my words would be more than an annual tribute at the session's close. For Harold Merrick plans a retirement earned by years of years in the service of his Government.

My own service in this Senate has been half that time—but all of my years on the Appropriations Committee have been made memorable and fruitful by the diligence and devotion of Harold Merrick.

Together we have explored a wide range of responsibilities. We have scrutinized the intimate problems of the District of Columbia—we have surveyed the operations of State—and the grave concerns of justice at a point of time that teems with problems and perils.

In committee sessions for the District—held at night so that the humblest might be heard—I came fully to know the honor and the humanity of Harold Merrick—and to know that devotion to duty was akin to his ideal of sanctity of his home.

I shall miss—as we all shall miss—the nearness of this scholarly gentleman—with a smile to brighten any meeting and a wisdom to lighten any task.

He has been for so many years of prime value to be days of pride for his personal and positive contribution to what we believe is a better world.

They will be days assured of the appreciation and affection of all who had the privilege of association.

May they be days of health and happiness for Harold and for all he holds dear.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the Record a statement by the distinguished Senator from Mississippi (Mr. STENNIS).

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

STATEMENT OF SENATOR STENNIS COMMENDING HAROLD E. MERRICK AND HIS COMPLETES 50 YEARS OF FEDERAL SERVICE

Today Harold E. Merrick of the professional staff of the Senate Appropriations Committee completes 50 years of service to the Federal Government. I believe that the high degree of dedication to duty that he has displayed over that period of time deserves our recognition.

Born in Croydon, Iowa, Harold went to work on December 1, 1943, for the General Accounting Office, which had been created in 1921 to do the work of the Senate in auditing and investigating the accounts and activities of the Executive Branch. He worked for the GAO for over twenty years, being employed in an auditing capacity in both the Washington and field offices.

It was during World War II that he actually began a second career, being assigned to assist the staff of the Senate Appropriations Committee, which was inundated with work required by war. On December 1, 1945, he formally joined the staff of the Committee and subsequently became one of the original members of the professional staff which had been created under the Legislative Reorganization Act of 1940.

From the time I was first associated with the Senate Appropriations Committee in 1949, I almost immediately became impressed by Harold Merrick's dedication to his job and his efficiency in carrying out the staff work on the numerous bills to which he was assigned. One of these was the important State, Justice and Commerce appropriations bill on which for many years he has been the principal staff aide. It speaks highly for his industry that, busy though he was, he was also able to undertake investigative work overseas in the midst of both foreign operations of the State Department and utilization of foreign aid appropriations. In both instances his work was of great assistance to me on many other related matters in the Senate.

I especially remember the highly valuable assistance Harold rendered to many members of the Senate in fact-finding visits to other countries, including the operation of the Marshall Plan and NATO.

Over the years I have grown to know Harold through our friendship highly. His quiet proficiency, his thoughtfulness, his unselfish dedication to duty, his responsiveness in fulfilling Senatorial requests, his diligence in attending appropriations, and his unquestioned loyalty to the Committee and to the Senate, all have combined to make him a most esteemed and trusted employee. He has not only been pre-eminent in his work; he has set high standards in both his work and his conduct. He has stood on high principles of character and honor. In all these years he has been greatly assisted by his charming and highly intelligent wife, Dorothy, who has been loyal to the Committee and who also has many friends.

With the end of this current session of Congress Harold is planning to retire. I am certain that I speak for all those who have known him and his excellent work in wishing him and "Miss Dorothy" the happiness they both deserve in the years to come.

UNIFORM ACCOUNTING STANDARDS FOR DEFENSE CONTRACTS

Mr. PROXMIRE. Mr. President, the Cost Accounting Standards Board was established by Congress in 1970 to require defense contractors to disclose their cost accounting practices and follow them consistently. Only if this requirement is enforced will there be a basis for fair dealings between the Government and defense contractors. At the present time it is often difficult for Government officials to properly determine the cost of contracts. As a result, millions of dollars are paid out by the Defense Department annually for questionable and unnecessary costs charged to weapons programs.

DEPRECIATION

The Board currently is considering a uniform cost standard on depreciation of tangible capital assets. The Board sought Admiral Rickover's views on depreciation because the Admiral has many years of experience in defense contracting. He was also instrumental in calling the attention of the Congress the critical need for cost accounting standards in defense.

ADMIRAL RICKOVER'S VIEWS

Admiral Rickover's statement to the Board is an excellent and remarkable one in several respects. He brings a perspective of realism, based on long experience, to a subject long regarded as an accounting issue. He brings into sharp focus the contrast between depreciation as an incentive device and depreciation as a cost. He urges the Board to develop a standard which requires that depreciation be based on realistic estimates of physical deterioration and service lives of assets. Finally, the admiral, as he has done frequently, places the work of the Cost Accounting Standards Board in a philosophical context which reflects his concern about our society and its institutions.

Admiral Rickover places the work of the Board in the perspective of the roles of accounting and business in our society. He believes, as he frequently does, that the contrast of our system with the totalitarian and democratic capitalist society will predominate in our country. The admiral contrasts our system with the totalitarian and democratic capitalist system and the right of business to own and control its own resources, and he notes that our democratic capitalist system is under attack and is no longer used in large parts of the world and is subject to extensive government control in other areas. The admiral states that he supports our capitalist system and the right of business to...