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duties of member states are raised to a common external tariff. The European Community has now taken this step with regard to U.S. exports of tobacco, oranges and grapefruit, kraft paper, photographic film, nonagricultural tractors, excavating machinery, diesel and marine engines and outboard motors, engine additives, measuring instruments, pumps, plywood, and other items. The total value of the tariff concessions will be nearly \$1 billion a year—a significant gain for American businessmen, farmers, and workers. At the same time, the United States has reversed its position with regard to the export of cereals. Clearly, Ambassador Eberle and his able staff have done an excellent job in promoting U.S. commercial interests.

However, this agreement represents far more than export sales, profits, and jobs. It is even more significant as an indicator of cooperation across the Atlantic. For nearly 18 months—indeed, right up to the 11th hour—these negotiations had been difficult, and sometimes even painful. They threatened to impede other negotiations and understandings between the United States and the Community. And they were often viewed as a source of division and discord, especially during a time of rapid change in political and economic relations.

The most important facts, therefore, are that the negotiations are over, and that an agreement has been reached at all. The discord and misunderstanding appear to have been put behind. And there is renewed hope for other negotiations, not only in the field of trade, but also in the whole panoply of Atlantic relations. Credit must go in particular to the European Community leaders who recognized that progress on this issue was important in order to preserve and promote the climate needed for adjusting and improving relations in other areas. The process has also shown that trade negotiations can succeed, even in these difficult times of understanding the shifting currents of trading patterns, and of coping with the impact of radical change in the worldwide trade of food and fuel.

It is, however, still too early to say that we in the United States have "turned the corner" on restoring good relations across the Atlantic. The next round of multilateral trade negotiations—even the passage of a trade bill by Congress—still lie ahead. So does effective reform of the world monetary system, and significant progress on energy cooperation, as promised—but so far not delivered—by the Washington Energy Conference in February. And the U.S. administration has yet to abandon its damaging ambivalence about supporting the European Community.

Yet there is now more reason for hope than there was a few months ago. By most accounts the Western allies have maintained a high level of cooperation at the talks on mutual and balanced force reductions—though these talks have yet to reach truly difficult areas. The issue of European funding of the balance-of-payments costs of U.S. troops stationed on the continent has been successfully resolved. And in recent weeks, there has also been a useful shift in European attitudes toward cooperation

with the United States—a shift that can be sustained if we are sensitive to European needs, as well.

Thus, Mr. President, I welcome the agreement on the so-called "24-6" problem that has nagged at the negotiators—and thoughtful observers—for so many months. And I urge the administration to pay careful attention to the statesmanlike position adopted by the European Community in acceding to our demands. If we can now, at long last, revive our interest in—and attention for—Atlantic problems, then we can make great strides very quickly. For there is no magic in having good relations between our country and Europe; it is largely a matter of devoting the time and the effort to ties of friendship, without expecting these ties to substitute for the step-by-step resolution of those differences that inevitably arise.

For too long, this administration has ignored this simple lesson. Hopefully, with success on "24-6", it will begin again to see the opportunities—as well as the compelling needs—that exist in our relations with the nations of Western Europe.

THE CRISIS OF THE CONTEMPORARY PRESIDENCY

Mr. MONDALE. Mr. President, this past Saturday I had the pleasure of addressing a regional convocation of the Center for the Study of Democratic Institutions in Los Angeles. The subject of my address was "The Crisis of the Contemporary Presidency."

I ask unanimous consent that the text of this address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CRISIS OF THE CONTEMPORARY PRESIDENCY (By Senator WALTER F. MONDALE)

Almost 500 years ago, Machiavelli described the qualities which would make a ruler an effective and wise leader. Such a person, he wrote, would choose wise men to give him advice and would give these advisors a mandate to speak the truth to him.

He would behave so that each advisor sees that "the more freely he speaks, the more he will be acceptable."

But above all, he said, a ruler would be a great asker, and a patient hearer of the truth about those things of which he has inquired; indeed, if he finds that anyone has scruples in telling him the truth he should be angry."

Even for a Machiavelli, seeking out and valuing the truth was essential to produce wise leadership.

For the past month, millions of Americans have been reading the most astounding set of political documents ever to emanate from the Presidential office and wondering if the President sought the truth in dealing with Watergate or attempted to hide from its consequences.

They have been asking the hard questions about this President which have implications both for the immediate future, and for the Office of the Presidency for decades to come.

For we will have missed the lessons of the White House transcripts if we concentrate exclusively on the guilt or innocence of Richard Nixon. The essential message which these shocking documents reveal is the desperate need for effective checks and balances to make the office of the Presidency strong, yet open and legal.

The dangers we face are clear. The usurpa-

tion of power which the transcripts reveal violates the most passionately held principles of the framers of the Constitution. As the great novelist Herman Melville noted almost a hundred years ago:

"If there are any three things opposed to the genius of the American Constitution, they are these: irresponsibility in a judge, unlimited discretionary authority in an executive, and the union of an irresponsible judge and an unlimited executive in one person."

We now realize the dangers of that union. We now know that our liberty can be lost if we do not protect the constitutional balance which is vital to our democracy. Without changes in some of the most important institutions in our government, we may not see Presidents who view themselves, as President James Polk once stated, simply as "citizens who have been chosen by the people to manage the government for a limited time."

The importance of these institutional changes cannot be underestimated. They must deal with key problems causing the dangerous imbalance of power among the branches of our government: the increasing trend toward lack of accountability in the execution of our foreign policy; the failure of the Congress to assert its responsibilities in controlling the power of the purse and in oversight of the Executive branch; and the need for structural reforms in the legislative branch to restore Congress' ability to compete effectively in the public arena with a powerful Presidency.

First, in the area of foreign affairs, we have enacted a war powers statute which is designed to restrain any President from committing American manpower in wars which the people, through the Congress, have not sanctioned.

And we are working in the Congress to ensure that the Constitutional power of the Senate to confirm treaties entered into by the President is not circumvented by the use of executive agreements.

Second, Congress is beginning to make progress in securing more firmly our constitutionally mandated power over the purse. Both the Senate and the House have passed legislation to control unlimited impoundment of appropriated funds by any President, which over 30 courts have declared to be illegal.

And we must pay much closer attention to an often overlooked item in the massive Federal budget—the appropriation for the Executive Office of the President.

During the Nixon Presidency, a strategy of closed decisionmaking developed. Its principal thrust was to push key decisions into bodies such as the Office of Management and Budget and the National Security Council—bodies wholly within the White House, whose officers were not subject to confirmation by the Senate—in order to bring all major policy decisions into the White House and hide behind exaggerated concepts of executive privilege and national security.

Congress cooperated with this strategy by not resisting the creation of OMB and the Domestic Council, and by largely agreeing to requests for funds for these bodies. In fact, it was the accumulation of funds for a large White House staff which was the key to the success of this scheme.

Perhaps the most egregious example of this trend has been the Domestic Council, whose members are not confirmable by the Senate and whose loyalties are only to the President.

Under the leadership of John Ehrlichman, it constituted a private government, removed from any dialogue with or accountability to state or local officials, the Congress or the Cabinet officers.

To prevent this from continuing, we must reduce the Presidential staff budget, not to cripple a President's ability to make decisions, but to force more decisions into the Cabinet.

By reaffirming the importance of the Cabinet officers, who must withstand Congressional scrutiny, and who must constantly deal with state and local government officials and representatives of various interest groups, we can do much to help assure greater accountability and openness in decision-making.

Third, we need legislation to re-establish the oversight and investigatory responsibility of the legislative branch without which a runaway Executive Branch cannot be prevented.

In order to break through government secrecy, we must strengthen the Freedom of Information Act and attempt, through the courts and the legislative process, to attack the overly broad use of national security and executive privilege as a means to keep vital decisions away from public scrutiny.

We also desperately need legislation to curb the illegal use by any President of the most sensitive agencies of the government—the FBI, the CIA, the IRS, and the Department of Justice. These are vital parts of our government, which have generally performed well. But they are also instrumentalities of great potential danger to our constitutional liberties, and their power must be exercised responsibly.

And we should seriously consider institution of a televised question and report period, during which key Executive Branch officials would be requested to come to the Senate and answer important policy questions before the Senate and the nation.

Finally, there is need for structural reforms within the Congress. We need more staff, adequate computer technology and a greater capability to deal with the mass of information constantly developed by Executive Branch agencies.

And it is crucial that we end the virtual Presidential monopoly on the use of television and radio. This means providing legislatively for a right of reply by the Congress to Presidential use of the broadcast media, or, at the very least, a Congressional "instant analysis" of Presidential addresses.

It also means lengthening the license period of broadcast stations and the terms of FCC members. We have seen attempts by the White House to intimidate the media through use of the license renewal procedure, and we must insulate the media from this pressure, while at the same time attempting to ensure that this will not lead to unresponsiveness by broadcasters to community needs.

We have known for years that these types of reforms are important if we are to ensure the survival of our constitutional system of checks and balances. And yet perhaps only the Nixon Presidency and the horrors of Watergate have given us the determination to press quickly for their enactment.

Without these changes, it is unlikely that the trend toward an ever-increasing lack of accountability in the Presidency will be reversed.

Without these reforms, Congress will have difficulty limiting the Executive Branch to those powers rightfully conferred in it by our Constitution.

We now realize how difficult the maintenance of our constitutional balance has become as the power of the Presidency has grown.

And much of the excessive growth in the power of the Presidency has resulted from an expansion of Presidential power in foreign affairs beyond the point of retaining accountability to our other governmental institutions. As Arthur Schlesinger, Jr. has aptly noted, "The imperial Presidency was essentially the creation of foreign policy."

In fact, the constitutional framework did not envision the flight from accountability in the handling of foreign affairs which modern day Presidents have embraced. The Congress was given important power in sanctioning American involvement beyond our

borders and in approving treaties entered into by our government.

In recent years, however, both of these Constitutional safeguards have lost much of their meaning. The treaty has largely been replaced by the executive agreement to avoid Senate ratification—as the means for implementing key foreign policy decisions. And the Constitutional restraints on the Presidential war-making power have been flaunted by Presidents of both political parties, leading to the loss of thousands of American lives in a war which the people, through the Congress, did not fully sanction.

But the implications of a Presidency removed from the restraints of shared power go beyond the arena of foreign policy itself.

For the Nixon Presidency and Watergate have clearly revealed the temptation to apply the imperial style of foreign policy to the domestic arena. They have shown the ability to use exaggerated concepts of national security and executive privilege to avoid Constitutionally mandated accountability in domestic affairs. And they have revealed the profound danger to our liberty which these trends present.

The style of foreign policy making has many advantages for a President seeking to avoid true accountability. The sweep and drama of diplomatic initiatives, the need for only limited consultation, the tendency to rally behind Presidents in international efforts during time of crisis, and the frequent absence of powerful domestic interest groups enable a President to maintain secrecy and avoid real power-sharing.

In his recent interview with columnist James J. Kilpatrick, President Nixon clearly indicated his conception without secrecy. "It is impossible . . . And it is particularly impossible when you are dealing not with your friends, but with your adversaries."

Certainly, any President has a legitimate need for secrecy in his most sensitive diplomatic ventures. Nor do we wish to deny any President the right to conduct an effective foreign policy.

But the danger of the Nixon Presidency, has been to borrow the style of secrecy, the use of national security, and the psychology of negotiating with the enemy from the foreign policy arena and use it in the area of domestic affairs.

Ironically, at the same time that the President stated he was conducting his foreign policy to establish dialogues and ease the tensions of the Cold War abroad, he was invoking the national security rationale of the Cold War at home to stifle dissent and undertake highly questionable activity domestically.

National security was used to eliminate any dialogue on issues and policy, and replace it with unquestioning obedience.

And just as the style of foreign policy has infected the Presidency with its arrogance, so have many of the techniques of foreign espionage been used to distort the domestic political process.

Some of those involved in Watergate came to it by way of the foreign intelligence community. Indeed, the CIA came seriously close to involvement in domestic subversion, and the rationale of national security became the overlay for illegal activity.

In short, the techniques of dealing with our worst enemies abroad became the means for subverting the law at home. This tendency continues today in the President's handling of the House impeachment inquiry, and in his dealings with the Special Prosecutor and the courts.

The American people do not want to be negotiated with; they want to be represented. They do not want to be dealt with as adversaries, but as an electorate to which any President is responsible.

There is no excuse for treating the House Judiciary Committee as if it were a Communist superpower. There is no justification

for dealing with the Special Prosecutor's office as if it were a foreign enemy.

In the Nixon Presidency, the style of Presidential policy-making in the area of foreign affairs has, too often, become the style for dealing with the American people. This cannot be allowed to continue if we are to preserve a vigorous Constitutional system.

The American people have shown that they will not accept this style of governance. Neither the firing of Archibald Cox nor the limited and incomplete disclosure of Watergate-related transcripts was accepted by the American people. They expected and demanded more—more accountability to the Congress, and more respect for the constitutional balance of power.

The central lesson which the isolated Presidency of Richard Nixon should teach us is that we must open up the conduct of both foreign and domestic policy to public scrutiny, and never again allow secrecy and subversion to dominate any President's dealings with the American people.

As the late Stewart Alsop stated, the tactics of the 1972 Nixon campaign were the tactics, not of politics, but of war. If our democracy is to survive, we can never allow those tactics to be used again.

For the accountability on which our democracy rests can thrive only through an active, honest relationship and dialogue between the President, the Congress, and the people.

It needs the constant test of political reality—the clash of opinions in full view of the American public, which should mark effective political give-and-take in a democracy.

And this type of reality is only achieved through the interplay among strongly willed participants in the course of open and honest debate on vital issues.

Without reforms to increase accountability, the isolation of the Presidency—so effectively outlined by George Reedy—can only worsen.

This would be tragic for the maintenance of a healthy American democracy. It would increasingly turn the office of the Presidency into what Arthur Schlesinger, Jr., has termed the "plebiscitary President," in which the political checks and balances which the framers envisioned are bypassed in favor of a quadrennial popularity contest with no effective restraints on Presidential actions during his four-year term.

The danger is a real one. We have already seen it in operation in the Presidency of Richard Nixon. And I fear that it is becoming increasingly likely as a result of another important tendency of the modern-day Presidency—the personalization of the Presidential office and its removal from partisan restraints.

The Presidency of Richard Nixon has carried the separation of President from party to its ultimate conclusion. The 1972 campaign marked the victory of a President who chose to isolate himself from his party and run on his foreign policy record.

The rather bitter statement of former GOP chairman Bob Dole illustrates best what happened in the most recent Presidential election. When asked last year if the Republican Party has been involved in Watergate, Dole replied that not only was the party not involved in Watergate, but that in 1972 it was not involved in the nomination, the convention, the campaign, the election or the inauguration of Richard Nixon.

The split of party from President had been totally achieved. The dangers of such a split have now become obvious. A Presidency out of touch with party politics is a Presidency which feels no accountability to the men and women who are close to the reality of political life.

Such a Presidency owes no obligation to those in American politics who must of necessity stay involved with the problems and concerns of the American people.

Indeed, such a Presidency has cut one more link in maintaining the sense of perspective which is vital for the effective functioning of the Presidential office.

This has been the style of the Nixon Presidency. As John Gardner has noted, he has "created a curious and unprecedented one-way communication with the American people. He can reach us but we can't reach him. We can see him but he can't hear us. He is always with us but there is no dialogue."

And yet the actions of this President should not come as a surprise.

As David Halberstam has effectively shown in *The Best and the Brightest*, Presidents Kennedy and Johnson often went outside the party for their advice and their talent. Indeed they often tried to neutralize the party and make it ineffective, a weakened instrument incapable of challenging the Presidential will.

Understandably, there is a natural tendency of any President to dominate and even bypass the party and make it incapable of offering serious challenge to his policies.

Perhaps because of this, in part, there seemed to be no mechanism during the 1960s within the Democratic party short of an all-out challenge in party Presidential primaries to convey to the President the unhappiness of much of the party with his Vietnam policies. The struggles within the party for bringing bad news to the President—for informing him of the need for fundamental changes in his policy—were simply not present.

So it is with Richard Nixon.

When President Nixon summarily fired Archibald Cox, when he failed to comply with the subpoenas of the House Judiciary Committee, the dangers of a Presidency without party ties were clearly highlighted.

These were actions taken without consultation with party leaders; indeed, they seemed to defy the considered judgment of many within the Republican party. Had the President felt any obligation to his party, he might have followed a different course, and thereby avoided the ordeal in which we now seem irrevocably entangled.

Both the Johnson and the Nixon experiences highlight the crucial importance of establishing party structures independent of and insulated from incumbent Presidents. When a party is in power, that party must be able to debate and discuss issues and inform its President when there is widespread dissatisfaction with the policies being pursued.

And when a party is out of power, it must be able to keep alive a mechanism to provide coherent opposition to the President within a spirit of constructive dialogue.

Obviously, we do not want Presidents who are shackled by every whim and desire of their political party. But we urgently need Presidents who are responsive to party leadership and who are open to party views on the most important issues facing the nation.

Without this party accountability, Presidents will increasingly become less accountable to the people at large, and less amenable to criticism from within their own party.

Yet there are powerful forces working against the reassertion of real accountability to the party or the Congress. In an age of television communications, a President can and does go over the heads of his party and the Congress to discuss those issues on which he wishes to claim popular support.

There are clearly limits to what we can realistically expect to achieve through any structural reform. And while I believe that strengthening the party is absolutely imperative, I don't pretend to have all the answers to this extremely difficult problem.

But we must try. There are broad goals toward which we can work—many of which are now being discussed and debated by both the Democratic and Republican parties.

First, within the Congress, the role of the party caucuses can be strengthened, to pro-

vide a more coherent legislative voice on the many issues on which party consensus is possible.

Second, we need strong party staff capabilities—the development of an ongoing professional party staff which can serve through different administrations. This capability will aid in establishing a continuity of party administration which can serve as a stabilizing influence and an increasingly strong nucleus for establishing accountability to the party.

In this, as in other areas relating to the party, we should look carefully at those aspects of the Parliamentary system which can be creatively adapted to the American experience. There are those within the Democratic party who wish to move in this direction, and we should thoroughly explore the available options in this area.

Third, if we are to have this type of established party apparatus, we are going to have to pay for it. I therefore believe that we should consider a modest set-aside from the dollar check-off system to defray part of the cost of ongoing party operations.

The parties should not become totally dependent on Federal funds, but an infusion of Federal money would enable our parties to devote more time to the crucial tasks of encouraging party participation and discussing positions on issues, rather than the debilitating search for funds with which to operate.

Fourth, both parties should reaffirm the importance of the Presidential nominating conventions in the life of the party. Indeed, there should be a mutual understanding between a nominee and the party that with the Presidential nomination also go responsibilities to the party. And the party should use the opportunity of the nominating convention to attempt—to the extent possible—to provide strong direction to the Presidential nominee of the party.

For the same reasons, while retaining and reforming our system of state primaries, we should avoid institution of a single national nominating primary, which would only further separate President from party and lessen still more the accountability of the candidate to his party.

It is also clear that the 25th amendment has conferred an enormous additional power on the President—the power to name his own possible successor. We should therefore seriously consider requiring that in addition to Congressional ratification of a Vice-Presidential selection, the President's party be given an important role in the initial selection process—a procedure whose viability was demonstrated in 1972 in the selection of Sargent Shriver.

Finally, and most importantly, we must continue the efforts to increase participation in the party process at the grass-roots level. For no matter how effective the institutional reforms, increasing Presidential accountability to the party membership will be only as successful as the parties are in attracting that membership. And only by holding forth the prospect of meaningful participation will the parties develop greater citizen involvement.

We in the Democratic party are currently grappling with many of these issues. Most of them are controversial, but their discussion can be most helpful in reviving the role of the party as another important institution in government restraining the exercise of unaccountable power by a President.

Indeed, all of the efforts to reform our most important governmental institutions, to increase accountability of the Presidency to the Congress and the people, and to strengthen our party structures are directed toward one end: keeping the Presidency strong, while increasing its accountability to the people, and assuring its operation within the Constitution.

We need a strong Presidency to lead this nation. Yet national leadership can be ef-

fective only when there is mutual respect between the President, the Congress, the Courts, and the people.

Reforms can encourage this respect, and help restore the checks and balances of our Constitutional system. But the President of the United States will continue to be the most powerful elected leader in the world. And the character of the American Presidency will continue to depend above all on the American people and the kind of person they choose to elect to that office.

Jerry Voorhees and Helen Gahagan Douglas were not surprised by the Presidency of Richard Nixon, and we should not be either.

In 1932, Franklin Roosevelt stated that: "The President is not merely an administrative office. That is the least part of it . . . It is preeminently a place of moral leadership. All our great Presidents were leaders of thought at times when certain historic ideas in the life of the nation had to be clarified."

We are in such a time now, and the Presidency must be directed at providing national leadership.

I believe, along with Harry Truman, that "there is far more good than evil in men and that it is the business of government to make the good prevail."

I am convinced that the Presidency must become the platform from which the central issues facing our nation are discussed. The problems of justice and inequality, of morality and honesty in government, of economic growth and the domination of large and impersonal institutions over American life must be confronted.

And most importantly, the role of the President as the voice for the powerless in our society must be reasserted with a new sense of commitment.

We now know that in an age of large and depersonalized institutions, powerlessness is not only the burden of the poor and the minorities. It is also the lot of working men and women who are angered and confused by the decline of moral values and the inability of government to respond to their needs.

These issues of race and poverty, of alienation in the midst of affluence, of disintegration of the concepts of political honesty and morality, are difficult ones to face, much less to solve. But unless our Presidents confront these issues squarely, there is little hope for making the Presidential office vital and for moving toward the solution to the domestic problems we face.

Our Presidents must be willing to risk their popularity in providing leadership on issues of crucial domestic importance, even though—or precisely because—they are open to public scrutiny and debate in their resolution.

And coupled with a commitment to seek responsible change must be an equally strong commitment to openness in the process by which that change is brought about.

George Washington vowed to keep open "the avenues to useful information from the many," lest he risk becoming "more dependent on that of the few."

It is precisely this concern for openness which must become the theme of the Presidency as we begin our third century of democracy.

In short, we need Presidents who can ask questions without being ashamed; who can develop solutions without being isolated; and who can provide leadership without being dictatorial.

The American people have seen the dangers of the politics of paranoia and vengeance. They have read the President telling John Dean in late 1972 that while he had not used the FBI or the Justice Department to harass political enemies thus far, things are going to change now."

They now appreciate in agonizing detail the peril of allowing government to be run with a siege mentality which views openness

and accountability as objects of fear, and which believes that its principal goal is the destruction of its political enemies.

The American people have clearly seen that the Presidency is far too important an office to be occupied by individuals who view vengeance, rather than compassion; retribution, rather than restoration; as their paths to political glory.

And most importantly, the American people now realize that we do not need messiahs who will not answer questions to lead our nation, but rather leaders to bring forth the qualities of compassion and justice which the American people have always possessed.

Benjamin V. Cohen, one of the principal architects of the New Deal, has said that "the most important quality and test of the Presidency is its ability to arouse and enlist the energies, the loyalties, and, if need be, the sacrifices of the people. The ultimate role of the President is to give inspiration and outlet to the tremendous forces for good at large in this great nation."

We need a strong Presidency to provide enlightened, compassionate leadership. But without openness and accountability to the law, this strength can lead to the ultimate destruction of the Presidential office.

For it is openness which ultimately creates strength for the office of the Presidency, and candor which breeds respect for the head of our government.

The American people have seen the Constitutional, political and moral issues which the Presidency of Richard Nixon has raised, and they are demanding a restoration of Constitutional principles in our Presidency.

In the end, this may be our greatest hope. For no institutional change can ever succeed unless the American people want and expect a balanced and thriving democracy.

As the great jurist Learned Hand noted thirty years ago:

"Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it. While it lies there, it needs no constitution, no law, no court to save it."

LEGAL SERVICES

Mr. THURMOND. Mr. President, I recently received a copy of a letter to Mr. Howard Phillips from Mr. Welch Morrisette, president of the Richland County Bar Association, Columbia, S. C.

In this letter, Mr. Morrisette recounts the difficulties encountered by the Richland County Bar Association as sponsor of the Columbia Legal Service Agency.

Mr. President, the Richland County Bar Association is the largest local bar association in the State of South Carolina, and its members include some of the ablest attorneys in this country. Their opinion on the subject of Legal Services should be given very careful attention. Accordingly, I ask unanimous consent that this letter be printed in the RECORD at the conclusion of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RICHLAND COUNTY BAR ASSOCIATION,
Columbia, S. C., May 30, 1974.

MR. HOWARD PHILLIPS,
Public Monitor,
Capitol Hill, Washington, D.C.

DEAR MR. PHILLIPS: I have your letter dated May 23, 1974, enclosing excerpts from the CONGRESSIONAL RECORD of May 20, 1974. These excerpts contain an analysis of portions of the proposed statute creating the Legal Services Corporation which has been passed by the House of Representatives and

the plan reported out by a Conference Committee. The House Plan seems much more desirable.

The Richland County Bar Association is the largest bar association in the State of South Carolina and has been the sponsor for the Legal Aid Agency here. For years the Bar Association has been unable to control the direction, the philosophy, the policies or the conduct of the staff at the Legal Service Agency we sponsor. The lawyers who have been employed for the most part have been activists, who were more interested in promoting social changes than in providing legal representation to poor people. The director has absolutely defied us in employment practices and in the management of the Agency. We, as members of the Bar Association, feel the need for representation for poor people. We feel, however, that the Legal Aid Service Agency should be run as a law office and not as a missionary station.

Five of the six members of the Richland County Bar Association who have served on the Board of Directors of the Legal Aid Service Agency have resigned because of the ineffectiveness of their efforts and their complete frustration and their disagreement with the management. This has caused the Executive Committee of our Bar Association to direct me to inform the Regional Office of the Office of Economic Opportunity in Atlanta that we do not intend to fill those vacancies unless a director responsible to us was appointed. The by-laws of the local agency provide that the director be appointed by the Board on recommendation of the Executive Committee of the County Bar Association. The Government has informed us that the local director will resign if we will continue to sponsor the agency, but we cannot appoint or designate the director and any bylaws which provide for such would be ineffective. We have also been told that even if the Bar Association withdraws its support, the Government will find another sponsoring group and continue the operation.

Our dilemma is this. We can withdraw our sponsorship and have the agency totally managed by people who want to change the law rather than provide protection within it or we can continue to lend dignity to the agency by sponsorship without effective control. My opinion is that our Bar Association is going to withdraw its support and direct me as President not to fill the vacancies existing on the Board.

I am sending a copy of this letter to our two United States Senators and to our six Congressmen. If any further hearings are held, this Bar Association will send an informed representative to present our views and our experiences here. I have not studied in detail the bill as recommended by the Joint Conference Committee, but it looks like Congress is going to create a new agency to harass taxpayers and property owners more than to establish law offices to represent poor people who indeed need representation.

Sincerely,

N. WELCH MORRISETTE, Jr.

NEW SENATE OFFICE BUILDING EXTENSION

Mr. BAKER. Mr. President, today I chaired a Public Works Committee hearing to consider the design of the extension to the Dirksen Senate Office Building. Members of the Public Works Committee and the Senate Office Building Commission heard architects, architectural critics and a representative of Capitol Hill residents discuss the building and its setting. The hearing was valuable and the testimony reassuring in that there appears to be general agree-

ment that the overall design is commendable.

As part of the presentation by the Architect of the Capitol, scale models of the proposal and numerous sketches and diagrams were displayed around the Public Works Committee hearing room. These representations were both helpful and interesting and will remain on display through the end of next week. After that time they will be available in the office of the Architect of the Capitol, Mr. George M. White, who will be glad to review the plans with any Members.

Fifty senatorial offices will be housed in the new building, so a significant portion of the Members of this body will have intimate contact with the extension.

I urge every Senator to stop by the hearing room, room 4200, to assess the design for himself.

THE SAM-D, 1 YEAR LATER

Mr. BAYH. Mr. President, 1 year ago I proposed an amendment to the fiscal year 1974 Department of Defense authorization bill to terminate continued research and development on the Army's SAM-D missile program. I did so because I was convinced that its excessive cost, its technical uncertainties, and its lack of clearly justified mission all combined to render it a grossly ineffective expenditure of our defense resources. The Senate did not agree with my arguments, and my amendment was defeated by a vote of 34 to 56.

I would like to review for the Senate what has happened to this program during the past year. I might note at the outset that the extraordinary cost increases which we had seen previously in this program continued unabated over the past year. The program cost grew by over \$400 million, from a total of \$4.48 billion when I offered my amendment last year, to a total cost estimated at \$4.899 billion in December, 1973. This raised the cost of one fire section of the SAM-D from \$28 million, to \$31.4 million, almost 4 times the original estimates.

Despite these huge cost overruns, perhaps the most important new factor affecting the SAM-D since last year's vote lies in the experience we gained as a result of the October, 1973 war in the Middle East. As far as air defense is concerned, both Syria and Egypt demonstrated a highly effective air defense capability using the variety of weapons provided by their Soviet suppliers. They succeeded in taking a quite considerable toll of Israeli aircraft. But Israel eventually achieved dominant air superiority because the Arab MIG's were simply no match for the more advanced and better piloted Israeli planes and because the Israelis used fairly effective electronic countermeasures provided them by the United States.

The initial success of the Arabs' ground-based air defense systems can be traced directly to the great diversity and quantity of the weapons they possessed and their high degree of mobility. Included in their arsenal was a 23-millimeter, radar-controlled, quad-mounted cannon, and the SA-2, the SA-3, the