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His list of civic honors is lengthy. He taught the James Cannon Bible Class at St. John's United Methodist Church for 43 years, also serving terms as a steward and trustee of the church.

His leadership abilities were quickly recognized in all of his endeavors. After serving as president of the Aiken Rotary Club he moved upward to become district governor of Rotary International. He was twice commander of American Legion Post 26 and was also South Carolina's Legion commander, as well as a national vice commander.

He served at one time as president of the Aiken Business Men's Club and was a Mason and a Shriner.

In the field of health, he served three terms as president of the South Carolina Cancer Society and was twice campaign director for the state society. He was also a state and county director of the Tuberculosis Association.

After retiring from the Extension Service in 1957, Mr. Ward served for several years as executive director of the Aiken Chamber of Commerce. He was honored as Aiken's Man of the Year in 1959.

Mr. Ward was a man of exceptional qualities, but it was as an orator, humorist and after-dinner speaker that he is best remembered by his fellow citizens. Although in demand as a speaker in many parts of the nation, he was always available for worthy causes at home, and he was master of ceremonies for most of the important gatherings in the city until his health failed.

With his gifts as a speaker, Mr. Ward could hold his audiences spellbound or subject them to gales of laughter. His central theme through more than 50 years of public life was one of hope for South Carolina's farmers.

His death on Saturday is an occasion for sadness in our community and state, and we extend our sympathies to his family.

[From the Augusta (S.C.) Chronicle,  
Aug. 20, 1974]

AUDLEY H. WARD

Aiken and the state of South Carolina, both of which he loved so well and ably served, are ever so much diminished today for their loss to death over the weekend of Audley H. Ward.

Long known throughout the South as an able and effective speaker, the Florence County, S.C. native was one of the region's most knowledgeable agricultural experts. He served, from 1924 to 1957, as the district agent for the Clemson Extension service.

Always active in public affairs, Audley Ward was past president of the Aiken Rotary Club, past district governor of Rotary International, past president of the Aiken Businessmen's Club, as well as a member of several other civic groups. A long-time member of the American Legion, he was elected one of its national vice-commanders in 1951.

Even after retirement, Mr. Ward served for several years as the executive director of the Aiken Chamber of Commerce, and he was active in both the South Carolina Cancer Society and the Tuberculosis Association. For outstanding service to his community, he was the recipient of the Aiken Chamber of Commerce's Man of the Year Award in 1959.

Audley Ward was a man who lent his ability and the weight of his sound judgment to any enterprise to which duty called him. He will be missed, not only by his family, but by thousands of friends and associates who had long appreciated his contributions to the advancement of his city, state and Nation.

#### THE PRESIDENTIAL PARDON

Mr. MONDALE. Mr. President, President Ford's action on Sunday—pardoning former President Nixon—may have

been an act of mercy toward Mr. Nixon. But I would like to suggest that it was an unfair, unfortunate, and unethical act toward the American people and toward our system of justice.

Over the past 2½ years, the American people have heard one allegation after another about the activities within the executive branch which have come to be known as the Watergate coverup.

They have heard admission after admission—from the lowliest "dirty trickster" to the President himself—of questionable, if not illegal, activity by high Government officials.

They have seen conviction after conviction of public servants. And they have listened as the integrity and independence of our law enforcement and regulatory agencies have been called into question.

These charges have struck at the very heart of our Government. They question our basic assumptions and tenets.

To believe that now—after all of this—the American people will settle for anything less than the full truth—complete disclosure of the entirety of Watergate—is a naive and ridiculous underestimation of the intelligence and integrity of the American people.

There is a passage in Richard Nixon's Watergate transcripts which I believe merits rereading. It comes from a conversation on March 13, 1973, between the President and John Dean. The President is discussing Watergate. He says:

How much of a crisis will it be? . . . The point is, everything is a crisis. . . . It will remain a crisis among the upper intellectual types, the soft heads, our own Republicans too, and the Democrats, and the rest. Average people won't think it is much of a crisis unless it affects them.

Here we have one of the more obvious indications of Richard Nixon's underestimation of the intelligence of the American people.

In the telegrams, letters, telephone calls, and personal visits I got after the Saturday Night Massacre, after the Agnew plea, and after the tapes disclosures were any indication, the American people are a lot smarter than Richard Nixon ever thought.

On Sunday, we saw Gerald Ford make the very same mistake—perceiving what the American people want and what they deserve.

They will not tolerate the ultimate Watergate coverup. But that is exactly what Mr. Ford's pardon was. It will keep the truth about Watergate from the American people, possibly forever.

For months now the American people have demanded the truth and we have been seeking the truth. That is what the Senate Watergate Committee was all about; that is what the impeachment inquiry was all about; and that is what the grand juries are all about.

Now that the normal judicial processes have been short-circuited by Mr. Ford's action, our chance to get the truth have been largely eliminated.

Let me explain what I mean. We cannot now expect to get the truth about Watergate directly from the former President. We cannot expect a plea accompanied by a disclosure or confession;

we cannot expect a trial of the former President for any illegal acts which may have been committed. We can hope only that, at best, some sketchy details may be disclosure at trials of former Nixon associates.

In fact, if Mr. Nixon's statement of Sunday is any indication, all we may ever learn, according to his \$2 million biography some years hence, is that he is totally innocent.

In the meantime, the tapes and documents which contain the only real source of the truth remain in the possession of Mr. Nixon, protected by a contract, also announced Sunday, signed by a Government agency.

Not only is there no right of public access to the truth, there is, in fact, a realistic possibility that the truth will be destroyed, probably after the publication of Mr. Nixon's "truth telling" biography.

We will not know the truth in order to better legislate remedies to prevent future Watergates.

We will not know the truth in order to set the historical record straight on the worst political scandal in American history.

We will not even know what Mr. Ford has pardoned—be it misuse of the CIA and FBI, harassing tax audits, the sale of ambassadorships, the compromise of the antitrust laws, or whatever.

Contrary to what Mr. Ford must have thought, I do not believe the American people will stand for it. I believe the American people want the full truth. I believe the only real "national interest" is in full disclosure.

Accordingly, I have written to Senator SAM ERVIN, in his capacity as chairman of the Senate Government Operations Committee, asking that he immediately issue a subpoena for all relevant Nixon tapes and documents to insure that they are preserved and to guarantee access to them by the Congress.

In the meantime, I suggested that the Government Operations Committee—which has oversight jurisdiction over the GSA—explore means to insure that the full Watergate truth be uncovered and provided to the American people.

When he was asked—during his confirmation hearings—about the prospects for a pardon of his predecessor, Mr. Ford said:

I do not think the public would stand for it.

Mr. Ford was very right then and is very wrong now.

Not only, however, is Mr. Ford's act the ultimate coverup. It is also the ultimate injustice.

As I drive to the Capitol Building each morning, I see four words written over the portals of the Supreme Court Building across from the Capitol. Those words are "Equal Justice Under Law."

Among our most basic principles, equality before the law must rank at the very top. It is part of the due process clause of the fifth amendment binding the Federal Government. And, so there would be no mistake, was made part of the 14th amendment binding the States.

We are a nation of equality and legality.

Yet, what have the American people seen in this context over the past several months.

First, a former Attorney General enters a guilty plea to a minor offense and escapes jail entirely, after admitting lying at his own confirmation hearing about a significant matter of law enforcement.

Then, a Vice President of the United States enters a nolo contendere plea to a minor charge and escapes jail, while each of us reads 40 pages of accusations as to his illegal and immoral conduct while occupying the second highest office in the executive branch.

Now, a President of the United States resigns under pressure from his critics and his defenders after admitting lying to the American people and, possibly, being part of massive illegal activity. Yet, he too escapes significant punishment.

How do we explain to John Dean and all the others who have or will serve sentences for Watergate-related activity that Richard Nixon has a seaside view in San Clemente?

How do we explain to those who have public assistance denied to them for minor infractions that Richard Nixon is getting a \$60,000 per year pension, an allowance for travel, \$90,000 per year for staff salaries, and an allowance for offices?

How do we explain to the victims of burglaries, robberies, and other crimes that Richard Nixon is protected by the Secret Service?

How do we explain to the woman in Kentucky who received a lengthy jail term for stealing a pork chop to feed her family that Richard Nixon will never serve a day in jail?

How do we explain to the Vietnam deserter that Richard Nixon had unconditional amnesty—without any alternative service?

Most importantly of all, how do we explain to our children what equal justice means?

I surely do not mean to suggest that what these people did was right or that they should escape punishment. I do mean to suggest that everyone has the right to expect equal justice under our system of laws.

Theodore Roosevelt put it well when he said:

No man is above the law; every man is below it; and we need ask no man's permission when we require him to obey it.

Our system of justice must, of course, be tempered with mercy. No one takes joy from another's suffering; no one takes pleasure in a family being tortured.

But, as Jerald terHorst said Sunday as he resigned:

Mercy, like justice, should be even-handed.

I reject the notion that Mr. Nixon has suffered, in his worldview, any more than John Dean has suffered in his or than the woman in Kentucky has suffered in hers. They were destroyed—in their jobs, among their friends, and in their mental suffering—every bit as much as Mr. Nixon, if not more.

We must remember, I believe, that Mr. Nixon did not resign his Presidency; he resigned our Presidency. To the extent that he has suffered; we, too, have suffered.

Finally, I reject the notice that it would have been impossible for Richard Nixon to get a fair trial. That suggestion is an affront to the American jury system, to the American system of justice, and to the American people.

If we cannot expect equal justice in this case through the judicial system because of Mr. Ford's unfortunate act, I believe we must seriously consider whether the true national interest might not be best served by a continuation of the impeachment process.

I believe we should consider whether a House vote on impeachment followed by a Senate trial might not provide another much-needed means for fully ventilating the Watergate facts and Richard Nixon's role. At the very least, we can then prevent Richard Nixon from again holding office in this Nation.

One final measure must be given serious consideration in the wake of President Ford's action.

Although the pardon power has its rightful place in our constitutional system, it is one of the few powers that is unchecked. It is not subject to the normal process of checks and balances, found repeatedly throughout our Constitution.

In order to prevent abuse of that power—or use of that power in a questionable manner—I would propose a check on the pardon power. Specifically, I believe that we should consider a constitutional amendment which would allow an exercise of the Presidential pardon power to be overridden by a two-thirds vote of both Houses of Congress.

Sunday's events represent a sad chapter in American history. We saw the ultimate coverup and the ultimate injustice.

As we all consider now where we go from here; how we are to put Watergate behind us in an honorable way; and how we are to prevent the results that may well follow from Sunday's events from ever happening again, I believe we will do well to remember the words of former Watergate Prosecutor Archibald Cox. Although spoken in another context, they seem particularly relevant today:

Regardless of the outcome, the value of the proceeding will depend on whether the process is so conducted that the country perceives it as a fair and legitimate measure for restoring the integrity to government.

Mr. President, the events of Sunday have provoked much critical commentary. I wish to share with my colleagues two of the most thoughtful. They are the editorials from the New York Times and the Minneapolis Tribune, and I believe that they well-express the outrage which many of us feel.

I ask unanimous consent that the editorial from the New York Times of September 9, 1974, entitled "The Failure of Mr. Ford" and the editorial of the same date from the Minneapolis Tribune entitled "The Nixon Pardon" be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 9, 1974]

#### THE FAILURE OF MR. FORD

In giving former President Nixon an inappropriate and premature grant of clemency, President Ford has affronted the Constitution and the American system of justice.

It is profoundly unwise, divisive and unjust act.

Like many lesser public figures who have commented at various stages of the long Watergate controversy, President Ford has sadly confused his responsibilities to the Republic and his understandable sentiments toward one who has inflicted grave damage upon the body politic. Both are valid and compelling but they should be clearly distinguished.

The four reasons that President Ford cites for his decision lay bare this confusion. In summary, he asserts that Mr. Nixon has already suffered enough, an adjudication of his offense would be divisive; a fair trial would be difficult to achieve; and ultimately, in any event, he—Mr. Ford—would have to decide the matter in the light of his own conscience and sense of compassion.

The adjudication of Mr. Nixon's offenses and the character of the criminal trial in which those offenses would be weighed and argued are one set of concerns. Mr. Nixon's suffering and his claims on President Ford's conscience as a political sponsor, friend and fellow human being are another set of concerns.

President Ford's overriding duty was to his public responsibilities. It is essential that the crimes committed by several of Mr. Nixon's closest associates and apparently by Mr. Nixon himself be determined in a court of law by the same rules of evidence and the same procedures of due process that apply in the American system of justice to every citizen.

Nothing less would satisfy the natural sense of justice of the American people and of a Government founded upon principles of equality and legality. Given the historic significance of Mr. Nixon's offenses that led to his becoming the first President ever to resign, it was essential that the historical record be unmistakably clear.

After the exact nature of the wounds that Mr. Nixon and his associates had inflicted upon the body politic had been determined and after the exoneration or conviction of those accused, only then could those wounds begin to heal.

Once the processes of justice had run their course, it would be possible and timely for the President and the nation to take into account the personal merits of the offenders and try to mitigate the penalties of law by recourse to the enduring human values of mercy and charity. If clemency had followed conviction rather than preceded it, there would have been wide acceptance of President Ford's exercise of his power to pardon.

As it is, by recklessly pushing aside special prosecutor Leon Jaworski and the grand jury and the trial jury as well, President Ford has fallen short in his duty to the Republic, made a mockery of the imperative claim of equal justice before the law, promoted renewed public discord, made possible the clouding of the historical record, and undermined the humane values he sought to invoke.

His duty was to see that the law was enforced and wrongdoers punished. His duty was to see to it that those who have already served in prison for their crimes such as E. Howard Hunt, Donald Segretti and Egil Krogh; those now serving their sentences such as Charles Colson and John W. Dean 3d; and those who stand accused of grave crimes such as H. R. Haldeman, John N. Mitchell and Mr. Nixon himself would all be treated the same.

Instead, he has laid American jurisprudence open to the severe and lingering accusation that there is one kind of justice for the agents and underlings and another for the ex-President in whose name and for whose supposed benefit the misdeeds were committed.

President Ford speaks of compassion. It is tragic that he had no compassion and concern for the Constitution and the Government of law that he has sworn to uphold and defend. He could probably have taken no single act of a non-criminal nature that would have more gravely damaged the credibility of this Government in the eyes of the world and of its own people than this unconscionable act of pardon.

Rather than calm public passions and restore a fundamental sense of national unity, Mr. Ford has ignited fresh controversy. How bitter that controversy is sure to become was shown by the immediate resignation in protest of the President's own press secretary, J. F. terHorst, acting as "a matter of conscience." It might have stirred less public outrage if the President, in what amounted to secret and discreditable plea bargaining with his predecessor, had insisted on a frank and forthright confession of guilt. Instead he settled for an unctuous, gulleful statement from Mr. Nixon in which the former President admits nothing specific and skillfully blurs the issues. The Justice Department's deal with former Vice President Agnew last year was seriously questionable; yesterday's arrangement sinks below even that poor precedent.

Moreover, the arrangement avoids nothing in the way of publicity and public controversy. Presumably, the cover-up trial involving six of Mr. Nixon's former aides is still to be held and he is sure to be called as a witness. He will have to testify at length under oath to all the demeaning details of the cover-up.

Because his pardon has immunized him, he cannot avoid testifying by claiming the Fifth Amendment privilege against self-incrimination inasmuch as he cannot now be prosecuted. If he testifies falsely, he is still open to prosecution for perjury. In short, nothing has changed except that the defendants and the jurors are to be confronted with the savage irony that the man who ordered the cover-up, benefited from it and repeatedly lied to the American people and to his own Congressional defenders about it is now to be a principal witness in the trial of those who did his bidding. They face the possibility of terms in prison while he can look forward to well-paid retirement in his luxurious seaside villa.

Senator Mike Mansfield, the majority leader, and others who urged at the time of Mr. Nixon's resignation that the Congress go forward with the constitutional process of impeachment by the House and trial by the Senate have now been vindicated. Because of the House's refusal to follow through with impeachment and Mr. Ford's preemption of the courts by granting this pardon, neither the political nor the judicial institution of this country have had an opportunity to weigh all the evidence concerning Mr. Nixon's offenses and reach a clear, final judgment.

In a time when the nation has been repeatedly dismayed by so many acts of corruption, intrigue and deceit, President Ford has signally failed to provide courageous and impartial moral leadership. When asked less than a year ago whether he would do precisely what he has now done, Mr. Ford indicated to Congress that he would not, adding, "I do not think the public would stand for it."

At his first news conference on Aug. 28, President Ford again pledged himself to respect the special prosecutor's obligation to take necessary action against "any and all individuals." Although not ruling out the ultimate exercise of clemency, the President observed: "There have been no changes made. There has been no action by the courts, there has been no action by any jury, and until any legal process has been undertaken I think it's unwise and untimely for me to make any commitments."

Instead of adhering to those wise public pronouncements, Mr. Ford has now moved secretly and suddenly to block the normal workings of justice. It is an act of flagrant favoritism. It can only outrage and dishearten millions of his fellow citizens who thought that at last the laws of this nation would be enforced without fear or favor. This blundering intervention is a body blow to the President's own credibility and to the public's reviving confidence in the integrity of its Government.

[From the Minneapolis Tribune, Sept. 9, 1974]

#### THE NIXON PARDON

On August 28, responding to a question about a possible pardon for Richard Nixon, President Ford said: "Until any legal process has been undertaken, I think it is unwise and untimely for me to make any commitment." He went on to say that he would not make such a commitment "until the matter reaches me."

But yesterday, before any formal legal action had been started, let alone put before him, Mr. Ford issued a full and unconditional pardon to his predecessor.

We think Mr. Ford was right on August 28—and, on the basis of the words he used in announcing his pardon, wrong yesterday.

The issue is not whether a pardon should have been granted to Nixon at an appropriate stage of a criminal proceeding. That decision would quite properly have rested solely with the president; his authority to issue pardons is explicitly rooted in the Constitution, is clear, and is sweeping.

But, as Mr. Ford himself repeatedly stressed during his August 28 news conference, the question of a pardon should not have been decided until after at least the beginning of a legal process against Nixon. In the absence of some more complete explanation, many Americans must conclude that Mr. Ford has espoused a double standard of justice—one for ex-presidents and another for the rest of us. The most obvious example, of course, is that of the many Nixon aides who have been indicted, convicted or sentenced to prison for criminal acts done under the direction of the man who was pardoned yesterday.

Nixon yesterday issued a statement similar to many that he has made before. He admitted no guilt for his role in the Watergate cover-up, conceding only that he was "wrong in not acting more decisively and more forthrightly in dealing with Watergate." The presidential pardon gives Nixon a license to go on making misleading statements like that one—though not many Americans, we suspect, any longer believe them.

President Ford's demeanor as he announced his decision yesterday supported his statement that he had followed the dictates of his conscience. His off-the-cuff comment that Nixon's health was "threatened" by continuing uncertainty over his fate may be the best clue to the president's decision to act now rather than waiting, as he had previously said he would do, until formal legal proceedings had at least begun.

There may have been compelling reasons for Mr. Ford to short-circuit the judicial process. But if there were, he did not make them sufficiently clear yesterday. If he believes, as he said, that pardoning Richard Nixon was essential to healing the nation's political wounds, he owes the country some further explanation. Without it, his action may have precisely the opposite effect.

#### OKLAHOMA CITY POLICE OFFICERS

Mr. BARTLETT. Mr. President, occasionally we see news accounts of some unpleasant incident involving a law enforcement officer who has acted improv-

erly in the performance of his job. I believe such incidents are rare and certainly not indicative of the type of men and women who serve the people so well.

Recently an article appeared in the Daily Oklahoman which described several acts of simple human kindness performed by Oklahoma City police officers in the performance of their duties. Such acts, which usually involve spending money out of their own pockets are, I believe, much more representative of the character of law enforcement officers and should not go unnoticed.

I ask unanimous consent that the article be printed in the RECORD.

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

POLICE LIKE TO HELP BUT WALLETS SOMETIMES TOO THIN

(By Steve Trolinger)

Imagine the big, tough policeman tenderly—and clumsily—cleaning up an abandoned baby and pinning on a fresh diaper or shell-ling out money from his own wallet at 3 a.m. so an indigent mother and child can have lodging and food.

Such events happen almost daily at the Oklahoma City Police Department.

The only hangup in the nice tale is that it is costing officers hundreds of dollars of their own money each year, not to mention taking many off-duty hours trying to care for those that have no place to go.

To help ease the situation Sgt. Richard Mullins, who is president of the Central Oklahoma Peace Officers for Better Juvenile Justice, is hoping to establish a cash fund that will be available when these emergencies arise.

"The problem is really at its worst in the winter when we get calls late at night from women who have children in a house with no gas or electricity or food because the husband has just up and left," Mullins said.

"When the husband leaves, the wife is often too proud to call for help, so a neighbor calls us and the officers end up paying for them a place to stay and food for the night," he said.

Mullins said part of that problem has been alleviated with the cooperation of Oklahoma Gas and Electric Co. and Oklahoma Natural Gas Co., both of which have offered to go to a home any time day or night and turn on the gas and electricity at an officer's request.

The sergeant said officers still need money to put up deposits with the gas and electric companies the day following the request if it is to be left on until the persons can find another means of paying the bills.

Mullins said he also would like to see enough money in a fund to guarantee payment to one grocery store on the north side of Oklahoma City and one in the south where officers can get food for the needy during the night.

"There is no problem in the daytime getting some emergency cash and food for these people through the welfare department or a religious organization, but no one in town is available for all situations, 24 hours a day," he said.

The most recent example occurred about 9:30 p.m. Friday when Mullins said the department received a call from a woman with an 18-month-old baby and no place to go.

The officer said the woman had been living with another woman in Oklahoma City doing housework for room and board while drawing a small welfare check.

He said the woman had left town on business and when she returned the landlady would not let her back into the house and was holding the welfare check in lieu of payment of a telephone bill.