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CONGRESSIONAL LEADERSHIP: TODAY AND TOMORROW

Speech of Senator Mike Mansfield (D., Montana)

at the

55th Annual Convention

of

Associated General Contractors of America

The Community Concourse Theater

San Diego, California

Monday, March 11, 1974, 2:00 p.m.

It is not without some reticence that I choose to address you on the subject of Congressional leadership. As someone has recently pointed out, the trouble with being a political leader these days is that you cannot be sure whether people are following you or chasing you. Whether it is called a "message" or a "signal," some sort of shock has definitely been sent by the people to Washington. At a minimum, it causes a painful ringing in the ears. It can, in more serious cases, portend sudden political death. It is even rumored to be the only known cure for Potomac fever.

However that may be, it is obvious that the public impression of the Federal government, at this time, is not a happy one. A recent public opinion poll shows the Presidency at its lowest ebb in history. Reluctantly, I must acknowledge that, according to the same poll, only the Congress has fallen lower in public esteem. It is small solace to note that that has long been the public attitude toward Congress.

Leaving aside for the moment the question of whether or not so much scorn is warranted, the fact remains that what is

being expressed is, in part, a deep sense of public dissatisfaction with the Federal government. Our people are caught between the jaws of a fierce inflation and increasingly irrelevant price and wage controls. The effects of this painful pressure are intensified by the oil crisis and a growing awareness of an inequitable tax structure. To cap the situation are the shocking blows against the nation's political institutions which have been delivered by the tragedies of Watergate.

Whatever the sense of frustration, I hasten to add that I do not think that the nation is at the end of the road. To the bumper sticker which commands: "America: Love it or leave it," the response is simple: whatever the current irritants who is leaving and who doesn't love it?

You can understand the reasons for that sentiment. Your industry at its best is a symbol of this country. It is energy and growth. It is fresh ideas, competition, progress, service, a faith in the future of the people of the nation. Qualities such as these go with the United States. They have enabled us to withstand the gravest adversity in the past. They provide the binders which hold the nation together, even at a time of government disarray.

Out of these qualities will come the source of tomorrow's renewal of the nation's spirit. It is in this context--in the context of renewal--that I would like to discuss the Congress of the United States, its role and the leadership it is trying to contribute to the nation in this time of trial.

Thirteen years ago I was elected the Majority Leader of the United States Senate. The mandate has been renewed by my colleagues at regular two year intervals. Many have taken issue

with the nature of that leadership over the years. It is a political fact of life that some individuals--even some at this meeting--I assume there are at least a few Republicans here--would have preferred me to be the leader of a minority.

Notwithstanding my party role in the Senate, I can assure you that there exists a close working relationship with the leadership of the other party. To be sure, Senator Scott of Pennsylvania and I have differences. Most of all, however, we share our problems in common. A Senate in continual partisan conflict is an ineffectual Senate. The Senates of the past few years have had their faults but measured by any responsible yardstick, they have been effective. They have been active, innovative, careful, cooperative, and they have been made up of Americans with a sense of decency, integrity, and fair play.

In the past year, in particular, the Legislative Branch has been the principle rock of the Republic and the guardian of Representative government. On the fundamental Constitutional questions, party labels have faded almost completely. On the many lesser issues, whether the energy crisis, taxes, appropriations or whatever, there are differences between the parties and even within the parties in the Congress. There are also differences between the branches and the Congress. It can be no other way. We are a government of separate branches; our politics remain lodged in two major parties. The juxtaposition of views from these various centers of political power are healthy and they are essential under our system of government.

I would note in this connection that the Democratic Majority in the Congress accepted without question the vast electoral mandate given a Republican President in 1972. We are not, however, overawed by it. We concluded that the retention of the Democratic Majority in the Congress also carried a message. We read it as a separate mandate from the voters for the assertion of the independent functions of the Legislative Branch. Therefore, we acted to reinforce the Nation's system of checks and balances against what seemed to us to be an excessive accumulation of power in the Executive Branch and, may I say, that in this process we had a great deal of help from the Republicans in Congress.

The accumulation of Executive power did not begin in the present administration. It has been going on, administration after administration, for decades and much of it had become lodged, as a practical matter, in the permanent bureaucracy. Nevertheless, there were, at the outset of the present Congress, many evidences of a decided shift toward one-branch government which most members of the Congress of both parties found deeply disturbing in a Constitutional sense.

In my judgement, the erosion of the system of checks and balances has been halted. It has not been easy. A President can make decisions as one person and, in a moment, if he chooses to do so. In Congress, a majority of the 100 Senators and of the 435 House Members not only have to agree on a goal but on what course to take to reach it. Then, if a Presidential veto stands in the way of that source, we have to begin again and reshape a new one which will gain the adherence of two-thirds of the Members.

If the country is not in the best of shape today, we might well ponder what the situation might have been if there had not been an independent Congress of dedicated Members--Republicans and Democrats. The fact is that there has been a more constructive Congressional input into National Leadership in the past year than at any other time in many years. While it may be too early for this change to be felt or even to be widely perceived, it is, nevertheless, a change of great significance. A few years ago, for example, this nation's principal concern was to get out of Vietnam. That was not a new concern. The goal of withdrawal was not adopted in 1973 or 1972, but in the distant past, scarcely a year after the beginning of the deep military commitment, and it was reiterated in just about every State of the Union message by two Presidents year-after-year for a half-dozen years. For even more years, individual Members of Congress had spoken out against a continuance of the involvement.

But at the beginning of the 93rd Congress, we were still in Vietnam. In 1973--last year--Americans were still dying in Indo-China. The urgency remained: to translate words of peace into action. In 1973 that was done. A settlement was negotiated with the North Vietnamese by Dr. Henry Kissinger, the present Secretary of State under the direction of the President. It is not to ignore that achievement to note that the full and final withdrawal of our military forces was brought about only after a swelling chorus of public opposition to the war was registeredⁱⁿ the Congress; the Congress, in turn, then enacted an absolute legal insistence on the war's end. It was the Congress which thereafter also shut tight the legal gate to reinvolvement anywhere in Indochina, notwithstanding a last ditch resistance by the Executive Branch.

Hopefully, we have seen the last of these military intrusions into other lands. Insofar as Congress can restrain the Executive Branch by legislation, we have done so. Hereafter, the substantial use abroad of the military forces of this nation will be dependent on an open consideration of the question before the people of the nation. War, by whatever name it is called, is too fundamental a question to leave to one Branch alone. The legislation which Congress has passed asks that it be decided by the President together with the Congress. If previous Congresses allowed a withering of their responsibilities as assigned by the Constitution, I hope the present Congress will be remembered for having restored them. I hope we have seen the last of back-door entries into devastating "small wars."

We faced something new in Vietnam and Indochina. It was an ambiguous war, over-simplified as an anti-communist crusade. As we later discovered, it was part civil war, part tribal conflict, part international clash, and part "war of liberation." In retrospect, we plunged recklessly into that ambiguity and we remained immersed long after our presence had lost all relevance to this nation's interest, not to speak of the well-being of the Vietnamese people who ^{were} ^{into} turned/refugees by the millions. Vietnam is over, now, for us, if not for the Vietnamese. The families of the bereaved Americans have not forgotten the war, nor have those who, like the tens of thousands of paraplegics, bear its permanent scars. Indeed, the war should not be forgotten, least of all, by the government if, for no other reason, than that its experiences are relevant elsewhere.

In foreign policy--in the aftermath of Vietnam--there is a need for continuing re-examination of our attitudes, policies and commitments. There is a need for a renewal of our thought with regard to the rest of the world. The recent agreement between Egypt and Israel is of significance in this connection. The President and the Secretary of State have acted so far with inventiveness and astuteness in regard to the interplay of developments in the Middle East, the general international situation and the world-wide economic consequences of the energy crisis. In that effort, they have had wide and non-partisan support from the Senate and Congress.

While I am on this subject, I would like to commend Secretary Kissinger. To date, he has brought great knowledge, a high intelligence and deep dedication to the whole range of our international policies. To that I can attest, personally, having joined him in an inter-American Conference in Mexico City two weeks ago. His erudition and candor won the kind of warm response from our neighbors to the South which has not been forthcoming in many years.

I would also point to his unflinching efforts, with the full support of the President, to improve relations with the Soviet Union and with China. In these policies, too, which have had substantial support from the Congress, lies a renewal of the nation's foreign policies. A sterile cold war shows signs of yielding to the positive efforts of the President and the Secretary of State to strengthen international peace. I would hope that they will be able to maintain the momentum which they have generated in this connection. I would hope, too, that they will move to reduce the

huge U.S. military garrisons in Europe and Asia and to bring about a reduction of nuclear and other armaments on a mutual basis. Certainly the Senate Leadership will support the Executive Branch in this connection. To the extent that reductions in these financial burdens and drains on our resources can be achieved, it will be possible to divert our efforts to the constructive inner needs of the nation. Our National security, may I say, is subject to danger not only from armed enemies abroad but from those inner discontents which feed on neglect at home.

While there is reason for optimism in regard to a renewal in foreign affairs, it will be of little avail unless there is also a restoration of confidence in government and in the nation's political institutions at home. It is not just a question of Watergate or forgetting it or pretending that it never happened. It is the whole cloth of government which has become tattered with doubt, distrust, and dissatisfaction. It would, indeed, be convenient were it possible to exorcise in a moment all the inertia, neglects, and abuses that have gone into creating this climate. That cannot be. What can be done is to use the chief instruments of government--the Courts, the Congress and to the degree that it is prepared to cooperate, the Executive Branch--to dissolve these abuses before they become fatal to liberty. That is a fundamental responsibility of public leadership--in the Congress, no less/in the ^{than} Presidency.

Before all else, the people have a right to an electoral system free of shenanigans and capable of yielding honest, responsible and responsive government open to all and shaped to meet the needs of all. It is incumbent on us to foreclose an excessive

intrusion of great wealth, whether corporate, labor, personal or whatever, into the electoral process. That is a solemn and urgent obligation and, in my judgement, it will^{not}/be met except as we are prepared, in the end, to pay for the public business of elections largely with public funds. We are moving in that direction. The Congress has taken the lead by enacting the Presidential Campaign Fund Law. I would urge now, as I have at every opportunity, that you check off a dollar on your income tax returns, if you have an income to report these days--for use in election campaigns. It will cost you no more and it will make a non-partisan contribution to cleaner politics.

After what has come to light in the last year, I would hope that the President will join with the Congressional Leadership in supporting efforts to scrub up the present system of campaign-financing. If it was in 1972 that Watergate arose, and in 1973 that it was investigated, may it be said that the matter was finally ended in 1974 in a new system of open elections openly paid for.

It is up to the Congress, too, to do something about other government abuses. Quite apart from Watergate, for example, there have been invasions into the most intimate workings of our lives, into the privacy of all Americans, by ill-coordinated, bureaucratic activity. There have been misinterpretations and maladministrations of laws, sometimes to the extent that they bear little or no resemblance to what Congress intended in the enactment. Representative government has yet to deal effectively with the problem of how to keep bureaucracies responsive to the public need, especially when they grow large, inert, cumbersome, and as in our times, more and more, automated and impersonal. In my judgement, Congress spends enough time writing laws--in some instances, too much. It may be that

it is time, now, for Congress to devote itself more to looking to the manner of execution of these laws.

What Watergate, election abuses and, often, a distant bureaucracy have done to public confidence with regard to the Federal government, the energy crisis has done in the realm of the nation's economy.

The immediate responsibility is to make certain that oil shortages do not devastate the economy and that the price of past neglect is borne equitably by all Americans. Congress has shown leadership here, and I deplore the recent Presidential veto of its efforts to devise immediate relief in the realm of prices and in equitable distribution of available supplies.

Beyond the immediate, what we must have is a foundation of facts on which to build a national policy on energy. We have to know far more than we know now if we are to meet what otherwise promises to be a recurrent threat to the nation's well-being. It is a threat of widespread business shutdowns, of transportation paralysis and of a permanent inflation which can only culminate in recession, unemployment and appalling human hardship. That, the people of this nation will not tolerate. That, the Congress of the United States no less than the Executive Branch must do all in its power to prevent. The need will not change even if the Arab Nations turn the valves wide-open. The need will not change even if mild weather permits a conversion of heating oil to gasoline and summer vacations as usual are in order. I hope that the ball of blame, therefore, will not be passed between the two branches for failure

to meet the problem; I hope we will be able to work together to resolve it.

The energy crisis has shocked this nation. In so doing, it has also shown us ⁱⁿ a sudden flash the precarious manner in which our entire national economic life has come to be organized. It is all well and good to be concerned at this time with the shortage of petroleum. But what of bauxite, nickel, tin, iron, and copper, and many other materials? What of wood and concrete? Where will the supplies of these and other essentials come from in the years ahead? Indeed, what of food, with the kind of disjointed policies in which exports of wheat are stimulated one year only to compel high-priced imports the next?

To say that we have been extravagant with our resources is to put it mildly. In the earliest years of this nation, the first President, George Washington, spoke of raising "a standard to which the wisest and honest can repair." Do we meet such a standard when one day we are obsessed with the threats to our environment and the next, in our concern over the drying up of petroleum supplies, we all but forget that pure air and water are also exhaustible resources? To meet the Washingtonian standard--that is, the President's, not the city's--will take courage, courage to change, courage to innovate, courage to learn, and courage to renew.

It is my hope that the concern of the President and the Congress will not stop with the end of the energy crisis. The need is to learn from a bad dream before it becomes a nightmare. The need is to begin, now, to take a careful look at not only the flash-isolated warning lights but at the whole integrated switchboard of our

national economic existence.

It is not enough, for example, for the Federal government to dole out tens of millions of dollars in a rescue operation to keep a bankrupt Penn Central Railroad on the tracks. We need to know where an action of this kind fits into a national rail policy; where that policy, in turn fits into a total transportation pattern; where that pattern, in turn, fits into the overall transportation requirements and the availability of fuels and other essentials in meeting them, not only today, but for the next decade or more. In short, we need to think ahead and to think in an integrated fashion. We need to begin to make the hard choices between what is more important to the nation and what is less, between what is enduring and what is transitory. That is the full scale by which government intervention in the nation's economy, when it must take place, should be measured. Unless we begin soon to develop that scale, the right hand of government will tend more and more to undo what the left hand has done. Accordingly, a few days ago the Minority Leader who shares this view joined with me in addressing to President Nixon the following letter:

Dear Mr. President:

It occurs to us that there is a need to look beyond the current crisis to the way in which our economic life has come to be organized. The energy shortage is a part, not the whole of the difficulty which confronts the nation's economy. Danger signals are flashing elsewhere on the complex switchboard of our national existence.

It is our thought that there must be a better way to deal with the needs of our people than by Federal intervention and bail-outs to shore up faltering parts of the economy, on a crash basis. The practice of waiting for the storms to strike and then, hurriedly, erecting shelters is not only wasteful and inefficient of the resources of the nation but its cumulative effect may well be devastating.

There is a need, it seems to us, to anticipate and, as far as possible, to act in an orderly fashion before the difficulties have descended on us. Unless we have some synchronized and coordinated machinery for this purpose, the nation will be subject to a plague of crises, one after another, in the years ahead. It is our suggestion, therefore, that we consider bringing together representatives of the Legislative and Executive Branches of government on a regular basis with those of industry and labor and other areas of our national life for the purpose of thinking through our national needs, not only as they confront us, today, but as they are likely to be five, ten or more years hence and how they are best to be met. If the government is to intervene in these matters as it is doing, an effort ought to be made to put that intervention, as far as possible, on a rational and far-sighted basis.

We would appreciate your reaction to this suggestion and would be prepared to work with the Executive Branch in bringing about a concerted consideration of the proposal.

Sincerely,

Hugh Scott

Mike Mansfield

Let me close by saying that there is a great deal that is right in this nation. We are a generous country with a strong, decent, industrious and compassionate people. There is ample intelligence and inventiveness and an immense experience and vitality in our midst. If, working together, today, we will put these attributes to use for the benefit of all, there need be no fear for the nation's tomorrow.

This nation will withstand the adversity of today. This nation will find, again, in the months and years ahead, the essential political leadership in the Presidency and in the Congress. We will renew. We will endure.