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Congressional Record

PROCEEDINGS AND DEBATES OF THE 93^d CONGRESS, SECOND SESSION

Vol. 120

WASHINGTON, MONDAY, SEPTEMBER 9, 1974

No. 134

House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 11, 1974, at 12 o'clock noon.

Senate

MONDAY, SEPTEMBER 9, 1974

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

With the Psalmist we pray:
"Unto Thee, O Lord, do I lift up my soul. Good and upright is the Lord; therefore will He teach sinners in the way. The meek will He guide in judgment; and the meek will He teach His way. All the paths of the Lord are mercy and truth unto such as keep His covenant and His testimonies."—Psalms 25: 1, 8-10.

Grant us, O Lord, open minds to Thy Spirit that we may discern Thy will and be guided into the truth. In knowing the truth may we follow it at all cost for the well-being of this Nation and for the rule of righteousness on the Earth.

Through Him who is the Way, the Truth, and the Life. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 6, 1974, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees

may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EQUAL JUSTICE UNDER THE LAW?

Mr. MANSFIELD. Mr. President, on yesterday, President Gerald Ford announced his decision to grant a "full, free, and absolute pardon unto Richard Nixon for all offenses against the United States which he, Richard Nixon, has committed or may have committed or taken part in during the period from January 20, 1969, through August 9, 1974."

I recognize, under the Constitution, that this is a decision for the President and the President alone to make. A pardon is not given to clear an innocent man but is given for the purpose of mitigating guilt. Otherwise, why a pardon? I am certain that President Ford, in granting this pardon to former President Nixon, did so on the basis of what he thought was best for the country; did so in good conscience; and did so after prayer and deliberation.

It would be easy for me to criticize the President's judgment, but I will not do so because I think he faced up to his responsibility, made a decision which he thought was right but, in doing so, made a decision which raises many questions. What about the 58 men who have been charged with crimes which cover Watergate and related matters? Thirty-five of them have been convicted or pleaded guilty. Four have been acquitted or have had the charges dropped; and a number still have charges pending. What do we do about those who have been sentenced to prison? Are we all equal under the law or are we not? In my opinion, if we believe in that axiom—and I do—it applies to all of us—Presidents and plumbers, the high, the low, the poor, the rich.

It would be my hope that the Special Prosecutor, Mr. Leon Jaworski, would heed carefully the words of President Ford at his last full-fledged press conference, and the responsibility which has been accorded to him that he "has an obligation to take whatever action he sees fit in conformity with his oath of office, and that should include any and all individuals." That obligation includes authority to "investigate and prosecute offenses against the United States," and that takes in everybody.

May I say that I am also concerned that an agreement has been reached whereby, after 3 years, the White House tapes will become the property of former President Nixon. During that period, the former President and the Federal Government will have access to those tapes. It is my belief that those tapes should be retained in the control of the Federal Government, and I would suggest that except for those portions of the tapes dealing with the national security, they all be published.

I am disappointed—and this is not new with me—that the constitutional process of impeachment was not carried out all the way so that all the facts would become available to the American people, but that was a congressional responsibility which was "cut off at the pass" when the House accepted rather than approved the findings of the House Judiciary Committee. By that action, the impeachment proceedings came to a stop. Watergate, rather than being behind us, as many had thought, is now once again, unfortunately, before us.

ORDER OF BUSINESS

Mr. GRIFFIN. Mr. President, the Senator from Nebraska wishes to make a statement, so I shall yield to the Senator from Nebraska so much of the time available to the minority leader as may be necessary.

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