2-24-1975

Congressional Record - Circumventing the Civil Service Retirement System

Mike Mansfield 1903-2001

Let us know how access to this document benefits you.
Follow this and additional works at: https://scholarworks.umt.edu/mansfield_speeches

Recommended Citation
https://scholarworks.umt.edu/mansfield_speeches/1241

This Speech is brought to you for free and open access by the Mike Mansfield Papers at ScholarWorks at University of Montana. It has been accepted for inclusion in Mike Mansfield Speeches by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.
REMARKS OF SENATOR MIKE MANSFIELD (D., MONTANA)
FOR THE
GEORGE AIKEN LECTURES
UNIVERSITY OF VERMONT
BURLINGTON, VERMONT
SUNDAY, MARCH 2, 1975, 8:00 P.M.

INTRODUCTION

When George Aiken announced his retirement from the Senate last year, my first reaction was to talk to him at breakfast the next day about changing his mind. He was, it seemed to me, too full of energy and too full of new ideas to talk about leaving the federal government. Most of all, I thought he was too essential to the preservation of sanity in Washington. Then, there flashed through my mind an "Aikenism" of some years ago. George was quoted on the subject of pruning trees in these words: "Some say you shouldn't prune except at the right time of the year. I generally do it when the saw is sharp."
With that thought in mind it was possible to understand his decision to leave Washington. All those years he had spent in the Senate, thirty-three of them, he was sharpening the saw of his wisdom and he had determined with that accumulated wisdom that the moment for pruning had arrived. George Aiken knew it was time to come back to his own people and to his native soil, to the green mountains and quiet streams of this lovely state, with the magnificent tool of a fine mind and a warm heart—in excellent shape. In retrospect, it is apparent, in truth, that he never left Vermont; rather, he brought Vermont to Washington.

George Aiken not only understands pruning and when to do it, he is also one of the nation's foremost authorities on wildflowers. Wildflowers and George Aiken go together, just as George Aiken and Lola Perotti Aiken go together. Wildflowers grow in a quiet field, on a rocky ledge, in a garden or in a wooded glen. That is how it is with George Aiken. He is at home and flourishes wherever he may find himself.
The wildflower is a simple thing, yet it emerges from one of the most complex of chemistries. It demands life; it affirms life. And in its unfolding, life finds expression.

So it is with George Aiken. His is the simplicity which comes when the complex forms into an integrated and harmonious whole.

George Aiken has dug deep into the soil of human understanding. He has planted kindness and strength wherever he has gone. He has touched, with patience and tolerance, all that his hand has reached.

I consider myself very fortunate, indeed, to have come near enough to him to fall under his influence. He has had and will always have my deep affection and admiration. I have long since regarded him as an outstanding colleague and an understanding and beloved friend. So I am delighted with this opportunity to be in his local habitat wherein lie the well-springs of his warmth and wisdom.
CONGRESSIONAL RECORD — SENATE  
March 10, 1975

Now, what was our involvement? The Senate majority leader has certainly given us a good thumbnail sketch of that background. But we need to underscore this fact that in 1971 that the only military involvement we had, or the only reason for any military involvement in Cambodia, was to protect the orderly and safe withdrawal of American troops from South Vietnam.

After we withdrew our troops, we were told that the only reason we had a military involvement in Cambodia was to assist in getting a cease-fire.

So, we see that our so-called commitments have been rather nebulous, at best, and certainly have been subject to various interpretation from time to time according to the political interests of our State Department.

We also need to ask ourselves this question: Why are we losing on the military front?

Unfortunately, we most often understand a situation after the fact rather than beforehand. I am sorry to say that our Cambodian involvement is another example of our State Department being in the dark, but unable to predict any foresight.

Are we losing militarily because the Russians, the North Vietnamese, the Chinese, and the so-called Communist countries have a greater ideology to perpetrate or promulgate in Cambodia than the American ideologic philosophy?

I think not. I do not think this is an ideological war. I think we have tried to make it so, but it is not. I am reminded of my own experience in Hanoi in 1948. We were at that time allies to Ho Chi Minh, and everywhere we looked were these slogans: “The land shall be yours.” Ho Chi Minh spoke to the people and they understood what he was representing.

And yet, we went back in there to aid and assist the retention of the colonial rule of France. So the United States of America was on the side of the colonial imperialistic France, rather than on the side of the people. Even though the people were ignorant and illiterate, they did not have a lot of knowledge to know what Ho Chi Minh represented and what the United States of America represented.

It is the same situation now. We get ourselves on the side of the palace guard and we are interested in supporting a regime that has not yet developed even a scintilla of support from the people.

These people are not pro-Communist or anti-Communist. They are interested in life in which they can have food for their stomachs and retain some kind of semblance of dignity. Yet we have tried to make it an ideological war. It is not that.

The Communists have been superior because they have spoken to the hearts and minds of the people. We have spoken in support of some kind of reactionary military regime. I think it is about time we learned from our own revolution that we do not win by military power alone.

King George had the military power in 1776. King George was No. 1, but we were losing. We lost because of exactly what John Adams said was the core of the American Revolution. It was not the War of 1776. As John Adams said, that had nothing to do with the American Revolution. It was the consequence of the Revolution. The Revolution began 15 years before a drop of blood was spilled at Lexington, because as John Adams said, the American Revolution began in the hearts and minds of the people when they came here for a better way and a redefinition of lives and values.

So I think we better start looking for the ideals and principles America has to exert, rather than the kind of military firepower that can destroy homes and the lives of families.

I am very concerned that we bring this to an end and I very deeply believe that we can do so by increasing support for the people through food aid. I think this kind of aid will facilitate the negotiations and help bring this war to an end.

Remember, the only thing we are negotiating is a transfer of power. That is the only thing to negotiate, a transfer of power from the Lon Nol regime to an insurgent regime.

I hope that will help bring this killing to an end.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore.

(The remarks made by Mr. BEALL at this point appear in today’s Record under Statements on Introduced Bills and Joint Resolutions.)

SENIOR MANSFIELD OPENS THE MINORITY SERIES

Mr. LEAHY. Mr. President, a week ago the distinguished majority leader of the Senate was in Burlington, Vt., to open the Aiken Lecture Series at the University of Vermont. The lecture series was instituted in honor of the former senator from Vermont, George Aiken, a man who represented Vermont in this Chamber for almost 34 years. 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 are the foundation upon which 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—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.

Fourteen 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 of our colleagues, that is—would have preferred me to be the leader of a minority.

Understanding majority role in the Senate, I can assure you that there exists a continuing relationship with the leadership of the other party. Mr. Hugh Scott of Pennsylvania, the Minority Leader, and I have our faults, but all, however, we share common problems. A Senate in continual partisan conflict is an ineffective Senate. The past few years have had their faults but measured by any responsible yardstick, they have been successful. They have been active, innovative, courageous, and they have been made up of Americans with a sense of decency, integrity, and purpose.

For the past several years, in particular, the Legislative Branch has been the principle rock of the Republic and the guardian of Representative government. On the fundament...
centers of political power are healthy and they are essential under our system of government.

Not in that connection do I view the Democratic Majority in the Congress accept without question, at that time, the way in which the President has given a blanket endorsement in 1972. We were not, however, of course, the only group of minority members. We acted to reinstate the nation's system of checks and balances against what seemed to us to be an excessive accretion of power in the Executive Branch and, may I say, that in this procedure, I had a great sense of help from the Republicans in Congress.

The accumulation of Executive power did not go unchallenged. It has been going on, administration after administration, under Democratic and Republican Presidents. In the past two-thirds of the Members of the Congress of both parties found deeply disturbing in a constitutional sense. The erosion of checks and balances, a system of checks and balances has been halted. It has not been easy. A President can make decisions in far too many instances of his own lodging, as a practical matter, in the presidency. Nevertheless, there were, at the outset of the last Congress, many evidences of a decided shift toward concentration of power in the hands of the Members of both parties which are now a reality. Even in my judgement, Congress may well ponder what the consequences of this may be.

If the country is not in the best of shape today, we might well ponder what the situation will be if there has been an independent Congress of dedicated Members of Congress. I think this is a realistic statement. I have a great sense that there has been a more constructive Congressional input into National Leadership in the past two years than at any other time in many years. While it may be too early for this to bear fruit or to be fully appreciated, it is, nevertheless, a change of great significance.

As I pointed out in my remarks today that even as we give our attention increasingly to domestic problems, we cannot turn our back on the problems of the world. The International situation is the main one. It goes down stockpiles of strategic materials. It depletes supplies of finite raw materials. It diverts large amounts of our foreign aid resources for manufacture and re-sale to the United States.

Congressional Record — Senate

March 10, 1975

as Controversial

providing military equipment

ot

that remote part or the world have already

IS

was, that remote part or the world have already

IS

realized.

IS

that even as we give our attention in the past two-thirds of the Members of the Congress of both parties found deeply disturbing in a constitutional sense. The erosion of checks and balances, a system of checks and balances has been halted. It has not been easy. A President can make decisions in far too many instances of his own lodging, as a practical matter, in the presidency. Nevertheless, there were, at the outset of the last Congress, many evidences of a decided shift toward concentration of power in the hands of the Members of both parties which are now a reality. Even in my judgement, Congress may well ponder what the consequences of this may be.

If the country is not in the best of shape today, we might well ponder what the situation will be if there has been an independent Congress of dedicated Members of Congress. I think this is a realistic statement. I have a great sense that there has been a more constructive Congressional input into National Leadership in the past two years than at any other time in many years. While it may be too early for this to bear fruit or to be fully appreciated, it is, nevertheless, a change of great significance.

As I pointed out in my remarks today that even as we give our attention increasingly to domestic problems, we cannot turn our back on the problems of the world. The International situation is the main one. It goes down stockpiles of strategic materials. It depletes supplies of finite raw materials. It diverts large amounts of our foreign aid resources for manufacture and re-sale to the United States.

Congressional Record — Senate

March 10, 1975

as Controversial

providing military equipment

ot

that remote part or the world have already

IS

realized.

IS

that even as we give our attention in the past two-thirds of the Members of the Congress of both parties found deeply disturbing in a constitutional sense. The erosion of checks and balances, a system of checks and balances has been halted. It has not been easy. A President can make decisions in far too many instances of his own lodging, as a practical matter, in the presidency. Nevertheless, there were, at the outset of the last Congress, many evidences of a decided shift toward concentration of power in the hands of the Members of both parties which are now a reality. Even in my judgement, Congress may well ponder what the consequences of this may be.

If the country is not in the best of shape today, we might well ponder what the situation will be if there has been an independent Congress of dedicated Members of Congress. I think this is a realistic statement. I have a great sense that there has been a more constructive Congressional input into National Leadership in the past two years than at any other time in many years. While it may be too early for this to bear fruit or to be fully appreciated, it is, nevertheless, a change of great significance.

As I pointed out in my remarks today that even as we give our attention increasingly to domestic problems, we cannot turn our back on the problems of the world. The International situation is the main one. It goes down stockpiles of strategic materials. It depletes supplies of finite raw materials. It diverts large amounts of our foreign aid resources for manufacture and re-sale to the United States.

Congressional Record — Senate

March 10, 1975

as Controversial
Mike Mansfield Papers, Series 21, Box 50, Folder 43, Mansfield Library, University of Montana
will continue to pay for that involvement." Mansfield's audience at the University of Vermont.

The Montana Democrat pointed to 55,000 American dead, 303,000 wounded, and $140 billion in aid to Southeast Asia, plus "cultural lands destroyed."

"Now we hear talk again about Cambodia and South Vietnam," he declared, "how long will this last and when will we learn?" The remark drew extended applause from about 1,000 people in the first lecture in a series honoring former Vermont Sen. George D. Aiken.

Mansfield told the audience that the United States cannot afford to continue its involvement in Southeast Asia. "The cost," he declared, "is $140 billion and would have been even greater if we were attacked by a power, say, in World War II.

"But," he continued, "this is not the first lecture series, envisioned as a permanent tribute to Aiken, who held virtually all top offices in Vermont and served 34 years in the Senate, will be supported by a $250,000 endowment fund being raised.

"Aiken's choice of the 1975 record for for the most complex or challenging problem of the century," Mansfield declared. "That is a fascinating challenge for world leaders to take up."

The second lecture will take place at 8 p.m. Wednesday here when former U.S. Secretary of Agriculture Orville Freeman will speak about the world food crisis.

Mansfield's discourse, delivered with a forceful Western twang, was preceded by a dinner here attended by about 300 people. After the speech, Dr. Andrew Freeman of Mansfield with a pair of Vermont marble figures of a 25th appropriation from UVM's library fund for the for the Aiken's choice.

In a prepared remarks, Mansfield called for a new American president and the white to win the next year.

"They have been made up with U.S. Sen. Patrick Moynihan, with 71-year-old Mansfield's "I believe the presence overseas that is not the right time for pruning trees in these words: "Some say you should not prunewhen the right time is at the right time of the war."

"At a dinner before the speech Mansfield told the audience that the effect of the Vietnam War on the United States."

"I think it is too early to forecast the result of that accumulation," he said. "One talk that I have been making is that the U.S. military presence overseas has been too much for too long, at too great a cost."

"I think the United States has been too much for too long, at too great a cost." He said: "While we are turning out refined military equipment, other nations are doing better at producing electronic equipment, pollution-free automobiles, and are doing better in the world of manufactures.

"I think the United States has been too much for too long, at too great a cost." He said: "While we are turning out refined military equipment, other nations are doing better at producing electronic equipment, pollution-free automobiles, and are doing better in the United States."

"The Legislative branch has been the most difficult of the past thirty-three years of the system of checks and balances has been halted," the former Montana State University professor added: "Representative government has yet to deal effectively with the problem of keeping bucraticcracies responsible to the public need."

"Mansfield called for Congress to spend less time writing laws and more time investigating how laws are executed."

The Senate majority leader for the past 14 years said a "shock has been sent by the people to Washington." The election campaigning with public funds, say, "I think the people have expressed an excessive intrusion of great wealth, whether corporate, labor, personal or whatever, into the business at the time comes.

Mansfield was welcomed at a reception and dinner before the lecture by Sen. and Mrs. Mansfield, Sen. and Mrs. Palo Leary, Rep. James Jeffords, Gov. and Mrs. Samuel Calloway, and Mansfield as UVM President and Mrs. Edward Andrews.

Barbara Schilling and Aiken and his wife, Lola, sat with Mansfield. Andrews, Stafford and Salmon delivered short addresses before the speech praising Aiken and Mansfield.

Aiken later remarked that Mansfield "disliked me because he wanted to when he was 14 and didn't like it." The Montana senator, a long-time breakfast companion of Aiken, brought with Aiken's life in World War II.

"Remarks of Senator Mike Mansfield"

"When George Aiken announced his retirement from the Senate last year, my first reaction was to talk to him at breakfast the next day about changing his mind. He was, it seemed to me, too full of energy and too full of new ideas to talk about leaving the federal government. Most of all, I thought he was too essential to the preservation of sanity in Washington."

"As a per­ficient, I thought," he said, "the United States has been too much for too long, at too great a cost." He said: "While we are turning out refined military equipment, other nations are doing better at producing electronic equipment, pollution-free automobiles, and are doing better in the world of manufactures."

"I think the United States has been too much for too long, at too great a cost." He said: "While we are turning out refined military equipment, other nations are doing better at producing electronic equipment, pollution-free automobiles, and are doing better in the world of manufactures."

If you should not prune except at the right time of the year. I generally do it when the saw is sharp."

"With that thought in mind it was possible to understand his decision to leave Washington. All those years he had spent in the Senate, thirty-three of them, he was sharpening his saw and then when he decided to turn with that accumulated wisdom that the American public would have appreciated if only the American public had been listening."

"When George Aiken knew it was time to come back to his own people and to his native soil, to the mountains, to the countryside, to this lovely state, with the magnificent tool of a fine mind and a warm heart and I am sure that his friends at home in Vermont will be pleased to hear that he will return to them and that he will return to Vermont."

"George Aiken not only understands pruning and when to do it, he is also one of the nation's foremost authorities on wildflowers. Wildflowers and George Aiken go together, just as George Aiken and Lola Perotti Aiken go together. Wildflowers grow in a quiet field, on a rocky ledge, in a garlic garden or in a wooded glen. That is how it is with George Aiken. He is at home and flowers flourishes wherever he may find them.

"The wildflower is a simple thing, yet it emerges from one of the most complex of all the great systems of nature. And in its unfolding, life finds expression. So it is with George Aiken. His is the simplicity of the wildflower which comes when the universe has been integrated and harmonious whole."

George Aiken has dug deep into the soil and has understood of the soil the soil, the kindness and strength wherever he has gone. He has touched, with patience and tolerance, all that his hand as reached.
CONGRESSIONAL RECORD — SENATE

March 10, 1975

S 3538

I consider myself very fortunate, indeed, to have come near enough to him to fall under his influence. He has had and will always have my deep affection and admiration. I have long since regarded him as an outstanding colleague and an understanding and beloved friend. I am delighted with this opportunity to be in his local habitat where I can enjoy the well-springs of his warmth and wisdom.

CONCLUSION OF MORNING BUSINESS

The Acting President pro tempore. There being no further morning business, the period for the transaction of morning business is concluded.

SURFACE MINING CONTROL AND RECLAMATION ACT OF 1975

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 7, Calendar Item 3F, the Surface Mining Control and Reclamation Act of 1975, and that it be made the pending business.

The Acting President pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 7) to provide for the cooperation between the Secretary of the Interior and the States with respect to the regulation of surface coal mining operations, and the acquisition and reclamation of abandoned mines, for other purposes.

The Acting President pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. METCALF. Mr. President, I suggest the absence of a quorum.

The Acting President pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that Darla Weck of my staff be permitted floor privileges for the duration of discussion on this bill.

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

Mr. DOMENICI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. METCALF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The bill will be stated.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 7, Federal legislation to regulate coal mining, I wish to say that the President signed it.

Enactment of the Surface Mining Control and Reclamation Act will enable the coal industry to proceed with development of our Nation’s vast coal resources in a manner which will assure that the other natural resources of our country will not be unnecessarily damaged.

Congress has been actively considering surface coal mining legislation for the past 4 years. At the 94th Congress the Senate passed a bill in October of 1973 by a vote of 82 to 8. The House passed its version to the Senate bill in July of 1974 by a vote of 291 to 81. I emphasize this October 1973 and July of 1974, because those bills were pocket vetoed at the end of the session.

The conference committee met almost 30 times for over 100 hours to resolve the differences between the Senate and House versions of the bill. Unfortunately after all those 30 meetings and those hundreds of hours, the end product of all this intensive study and debate did not become law, because the President did not sign it.

I deeply regret that President Ford vetoed the bill. I particularly regret the fact that he did not give Congress a chance to override his veto and thus permit the Senate and House to get on with the business of mining coal.

As introduced, S. 7 was identical to the bill pocket vetoed by President. It is designed to achieve a balance between the need to protect the environment and the need to develop our coal resources to meet our energy needs.

This is a national bill. There are substantial economic and geographical differences in the States of America. The fertile topsoil of Ohio and Illinois can be stockpiled, while the sparse and arid topsoil of Montana and Wyoming loses its nutrients in a short period of time.

The rainfall differs so greatly that reclamation is substantially easier in some areas than in others; the depth of the coal seams, the differences in mining techniques, all contribute to the difficulties of enacting comprehensive national legislation. This bill, I believe, may well be considered as minimal in many areas and it will be the responsibility of State administrators and of the State legislatures to make the regional adjustments necessary to fit the pattern into the special needs of the respective States.

Nevertheless, the bill establishes the basic standard that land may not be stripped of its topsoil and then reclaimed. It contains specific reclamation standards; gives the States principal responsibility for regulation and provides special protection for certain private individuals who own the surface of land—especially the sub-surface of which is owned by the United States.

Mr. President, I ask unanimous consent that a brief summary of S. 7 be printed in the Record at the close of my remarks.

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

(See exhibit 1.)

Mr. METCALF. Mr. President, on February 6, President Ford sent to Congress an Executive communication concerning the administration’s proposed surface mining bill. It follows S. 7 but makes changes which would overcome the objections which led to the pocket veto. The administration bill has been introduced as S. 625.

The President identified eight “critical” changes and 19 “important” changes. The committee reviewed the President’s changes very carefully. As reported by the committee, S. 7 incorporated five of the President’s changes verbatim and has been revised to resolve five of the other problems identified by the President. I ask unanimous consent that a listing of the President’s recommendations—in the order they appear in his February 6 letter—together with the committee’s comments and recommendations be printed in the Record at the end of my remarks.

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

(See exhibit 2.)

Mr. METCALF. Mr. President, I am particularly pleased that the committee on Interior and Insular Affairs approved S. 7 by a vote of 12 to 2. This will, I suspect, be representative of the vote in the entire Senate.

I want to take this opportunity to comment on several provisions of the bill which one can argue for or against the merits of the coal industry and the minority views in the committee report, are totally misunderstood by its opponents.

First, is the reference to “protection given to alluvial valley floors.” The minority views state that the enactment of the Interior said that “the definition—of alluvial valley floors—would preclude mining on millions of acres.” On March 7, Department representatives stated that they had misunderstood what S. 7 said. They thought that it banned mining in alluvial valley floors, which in fact, all mining is banned on alluvial valley floors where such valley floors are significant to such operations.” They stated that even under the broadest interpretation of “alluvial valley floor” the impact would be much less than implied in the minority report.

Mr. President, I propose to introduce a minor amendment that would be in the language of the geologist who testified on S. 7 before the Senate Mining Committee, and narrow the definition of “alluvial valley floor.”

The minority views on the question of stream siltation criticize the committee for failing to recognize the economic ramifications of the standards imposed by S. 7. They fail to mention the two amendments recommended by the committee which, as requested by the President, make it clear that “prevent” is not meant as an absolute requirement.

Third, the minority views state that S. 425—and by implication, S. 7—“contained a prohibition against further leasing of Federal coal until February 1, 1976.” This is another incorrect description of S. 7 and S. 425. Section 716(o) of S. 7 prohibits the leasing of Federal coal until January 1, 1976, only of Federal coal underlying privately owned surface. This