

CHARLES MCC. MATHIAS, JR.  
MARYLAND

COMMITTEES:  
APPROPRIATIONS  
JUDICIARY  
DISTRICT OF COLUMBIA

## United States Senate

WASHINGTON, D.C. 20510

November 27, 1973

Mr. Harold Weisberg  
Route 8  
Frederick, Maryland 21701

Dear Harold:

Thank you for taking the time to express your concern over the unprecedented events which culminated in the resignation of Elliot Richardson, the firing of Archibald Cox and William Ruckelshaus, and the enforcement of Judge Sirica's order on the Watergate tapes.

Public response to these events has been overwhelming and deeply felt. My faith in America's dedication to constitutional government has been reaffirmed by the involvement of citizens like yourself.

As I indicated on the television program Issues and Answers, I believe recent events have severely limited the alternatives available for political action. At this time, the first step toward restoring public confidence is the appointment of an independent special prosecutor to continue the investigations already begun. I have sponsored legislation to accomplish this end.

Enclosed is a further statement of my views. Thanks again for sharing yours with me.

With best wishes,

Sincerely yours,



Charles McC. Mathias, Jr.  
United States Senator

CM:qrm  
Enclosure



United States  
of America

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## Senate

### TOWARD A NEW BEGINNING

Mr. CASE. Mr. President, on the op ed page of the New York Times today appears an excellent article written by the distinguished senior Senator from Maryland (Mr. MATHIAS). I ask unanimous consent to have the article printed in the Record.

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

#### TOWARD A NEW BEGINNING

(By CHARLES MCC. MATHIAS, JR.)

WASHINGTON.—If Lord Macaulay had been in Washington during the last week he would never have written that "Your Constitution is all sail and no anchor." The Constitution not only demonstrated its holding power, but also its capacity to inspire men and women in high places and humble places to rush forward and tend the anchor chains.

But even the best anchor has to be set by a crew that knows how, when and where to act. The American people are usually able to rely on the fact that such men are generated by the pressure of great events. In this crisis Americans have again been well served by four such men, John J. Sirica, Elliot Richardson, Archibald Cox and William Ruckelshaus. The impact of their actions on events was controlling because they had two simple goals in view—to do what was right and what was constitutional. They were strong because of the Constitution and the Constitution was strong because of them.

The same simple goals should guide us through the rest of the tangle the nation is in. What is right and what is wrong is not a question for calculation or manipulation. To seek to do what is right is not a novel experience for Americans. It is an old custom that could be revived for the bicentennial.

To obey the explicit injunctions of the Constitution is an equally honored practice that should be observed as a canon of American citizenship without exception.

These principles would be too obvious and too simplistic if it were not for the fact that we have seen what happens when four men follow them in contrast to what happens when others do not. Consider, for instance, the damage to the nation when the Fourth Amendment is ignored by clandestine police, when a secret war is conducted without the sanction of Congress and when the coordinate branches of Government lose the respect for each other which is the matrix of the Constitution.

There is a difference in America today because John Sirica and Archibald Cox respected the Constitution and because Elliot Richardson and William Ruckelshaus knew that it was right to keep their word. That difference may be the beginning of a new era of loyalty to the Constitution, the laws and the best traditions of our history.

What is the way to start this new era? I think we need to finish the house-cleaning that Elliot Richardson and Archibald Cox have begun. But to complete the job we need a special officer with no entangling loyalties or interests. It is not right for any institution to investigate or prosecute itself and it is not constitutional to concentrate excessive power in a single office of government without the balancing and countering action of another independent force.

The Congress must, therefore, find a way to re-establish the office of special prosecutor on a firmer and more independent basis than before. The public must know that those who place the Constitution above personal interest will be vindicated. That is the first step toward restoring a government under law.

STATEMENT OF SENATOR CHARLES McC. MATHIAS, JR.

Immediately after the Watergate break-in, I urged the White House to make a full disclosure of all the facts and subsequently in September-October, 1972, I publicly called for an investigation and a full house-cleaning by the Administration of all persons who were involved in any way.

In December, 1972, my vote assured that there would be a congressional investigation of the Watergate affair -- by a Senate Judiciary Subcommittee of which I am a member, if not by a Special Senate Committee.

In February, 1973, I voted to establish the Senate Select Committee on Presidential Campaign Activities, which has since been organized under the leadership of Senator Ervin and Senator Baker.

In March, 1973, I held the deciding vote on the Senate Judiciary Committee on the confirmation of L. Patrick Gray, III to be Director of the F.B.I. and was therefore able to assure the most complete exposition of facts made up to that date.

In May, 1973, during hearings on the confirmaiton of Elliot Richardson as Attorney General, I supported the establishment of the charter which all believed would guarantee the independence of the Special Prosecutor, Archibald Cox.

The gravity of the issues now created by the President's firing of Special Prosecutor Cox without just cause was underscored by the resignation, in protest, of Mr. Richardson, the firing of Mr. Ruckelshaus, and the unprecedented degree of shock and concern which has been expressed by my fellow Marylanders.

The House Judiciary Committee has now begun a preliminary investigation of possible impeachment proceedings. As a Senator, I would sit as a member of the tribunal provided by the Constitution to review any impeachment charge voted by the House. Therefore -- adhering strictly to traditional judicial ethics -- I shall not pre-judge the evidence which might be presented. I believe that such strict adherence to these ethical principles is particularly important at this time.

The Senate Judiciary Committee is conducting hearings on the need for re-establishing the office of the Special Prosecutor on a more independent basis than before. I have sponsored legislation to accomplish that end and shall push for its enactment.

As all of these matters, and others, come before me, I shall continue to support all efforts to ensure that America shall forever remain a Government under law.