

FOLKWAYS FH 5803

# HAIL TO THE CHIEF

## SIDE 1

Band 1: Introduction  
Band 2: Chief of State  
Band 3: Chief Executive, Part 1

## SIDE 2

Band 1: Chief Executive, Part 2

## SIDE 3

Band 1: Commander-in-chief

## SIDE 4

Band 1: Chief Architect of Foreign Policy

## SIDE 5

Band 1: Chief Legislator, Part 1

## SIDE 6

Band 1: Chief Legislator, Part 2  
Band 2: Conclusion

With: President Richard M. Nixon, V.P. Spiro T. Agnew, President Lyndon B. Johnson, Chief Justice Warren Burger, General Douglas MacArthur, President Harry S. Truman, President John F. Kennedy, V.P. Hubert Humphrey, Dean Rusk, J.W. Fulbright and others.

Library of Congress Catalogue Card No. 72-75017

©1972 FOLKWAYS RECORDS AND SERVICE CORP.  
701 SEVENTH AVE., N.Y.C., U.S.A.

DESCRIPTIVE NOTES ARE INSIDE POCKET

FOLKWAYS FH 5803

HAIL TO THE CHIEF

FOLKWAYS FH 5803

Folkways Records FH-5803

# Hail To The Chief

An Inquiry into the Powers of the President



A Documentary Produced by Anthony G. Pilla



# Hail To The Chief



FOLKWAYS RECORDS Album No. FH 5803  
© 1972 Folkways Records and Service Corp.,  
701 Seventh Ave., NYC USA

Record One  
Side A **1a**

## Band 1: Introduction

The American Presidency has become the world's most important office. Thomas Jefferson once referred to this most "august" position as a "splendid misery." When we inaugurate a President we give him the reins to lead the most powerful nation on earth. From the moment he takes office the President is confronted with a vital problem: how to make his powers work for him? A President is one man wearing many hats, or one man performing many duties. The powers of the Presidency fall into five broad areas: executive, judicial, military, diplomatic and legislative. For the purpose of this study, the Presidency has been divided into the following "chief" areas of authority: Chief of State; Chief Executive; Commander-in-Chief; Chief Architect of Foreign Policy and Chief Legislator.

## Band 2: Chief of State

As head of the richest and most powerful nation in the world, the President is an important symbol at home and abroad, and as such, he is always the "ceremonial" Chief of State. This role may at times seem trivial, yet the President cannot neglect to keep in touch with the American electorate, for they were responsible for his being elected President of the United States. In representing the public, the President is called upon to perform various functions such as: dedicate public parks and dams; buy the first poppy; and open the baseball season by throwing-out the first ball.

However, the Constitution states that as Chief of State, the President, "shall receive ambassadors and other public ministers." Upon assuming the role as Leader of the Free World, many Presidents have made numerous "state" visits to nations on both sides of the "iron curtain." Within weeks after taking his Oath of Office, President Richard Nixon went on a "state" visit to several historic capitals of Europe. Listen as he is being received by the King of Belgium and Pope Paul.

"Your majesty, as I stand here I feel that I stand on hollow ground, for millions of Americans as well as Belgians, this is the soil that twice in fifty years has been devastated by war. And, therefore, it is all together appropriate that this new search for peace that will avoid that kind of devastation should begin on this soil. I am proud to be here and to be welcome by you so graciously. And I am confident that at the beginning of this journey, the fact that we start on this soil, is a good omen for the future."

PRESIDENT RICHARD NIXON - 1969

"I have the pleasure in welcoming you in Belgium and honor confidence. We are delighted at this initiative you are taking since it aims at coordinating for joint action in the cause of peace the views of the United States of America and those of a Europe. With this fact.....is advancing on the road to a unity."

KING OF BELGIUM - 1969

"Mr. President, we are very happy and deeply grateful to.....working journey through Europe. In the past we have already had the honor of visiting you, but now you come to use in other capacities with the heavy responsibility of the President of the United States of America. To inspire and sustain your valiant efforts, our repeated and good wishes go with you and



our heartfelt prayers....compels...you to inform people of the United States of America, who are so dear to us, abundant divine blessings."

POPE PAUL VI - 1969

"Your Holiness, we are most honored to hear those eloquent words in behalf of our country and I express my personal appreciation for the time that I had to talk with you about some of the great issues which divide the world, but issues which with leadership both by the temporal leaders and the spiritual leaders of the world, we may be able to resolve and resolve them in an atmosphere of peace. We all remember in the United States your visit and we remember you coming to the United Nations and your appearance before thousands of Americans in Yankee Stadium and millions on television. It left a memory that we will always carry very close to our hearts. And we know as we sit here and consider the difficult material problems that we will have to deal with when we return to our own country, that what the world needs today is the spiritual and moral leadership that your Holiness has stood for, stood for here in the Vatican, and in your arduous travel to other nations in the world. Your words have inspired us, the fact that we have your prayers will sustain us in the years ahead."

PRESIDENT RICHARD NIXON - 1969

When a President returns to America from a "state" visit, it is customary for the Vice President to lead the welcome home delegation. Listen as Vice President Spiro Agnew greeted President Nixon on his return from Europe.

"Welcome home from a very successful trip, on behalf of your fellow countrymen. You have carried the real message of America to our friends on the European continent and Great Britain. I think the success of your trip is born out by the warmth of the reception you received not just from the foreign dignitaries, but from people of all types in every country you visited. And Mr. President, you listened, you listened not just to respond to what was said to you, but you listened to learn and this came through very graphically to the people who saw you and heard you. It's been a great privilege for America to have you there. I think that we saw a new maturity in American diplomacy coming into being, because of your ability to listen and to show compassion and understanding of other people. The prayers of literally millions of Americans have been answered by your safe return. We're delighted to have you back." (Applause)

VICE PRESIDENT SPIRO AGNEW - 1969

"Mr. Vice President, Mr. Speaker, all of the distinguished members of the House, Senate and the Cabinet who have come to the airport today. Over the past weeks we've had some splendid receptions in the great capitals of Europe, but I could assure you that none means more than to have such a welcome on such a cold night as we return to Washington D.C. And I am most grateful for your words which were so generous and I could only respond at this time by giving you one overall impression of this trip, later in the week I will be meeting the Press and responding in greater detail. But the one impression I think is summed up in the word trust. I sense as I traveled to the capitals of Europe that there is a new trust on the part of the Europeans in themselves growing out of the fact that had a remarkable recovery economically and politically as well as in their military strength, since the devastating conditions in World War II. And also, I think I sense a

new trust in the United States, growing out of the fact that they feel that there are open channels of communications with the United States. And finally, I think that there is developing a new trust in the future not only on the part of the people of Europe and their leaders, but on the part of the people in the United States."

PRESIDENT RICHARD NIXON - 1969

Band 3: Chief Executive - Part I

The Constitution states that, "the executive power shall be vested in a President of the United States of America," and that the most solemn obligation entrusted to the President is to "take care that the laws be faithfully executed." His Oath of Office obligates him to "protect and defend" the supreme law of the land - the Constitution of the United States. This means that the President, acting through his executive departments and agencies, must see that laws enacted by Congress are executed and enforced. It is this responsibility that has caused the executive branch to grow into the largest of the three branches of the federal government.

(PRESIDENTIAL THEME SONG: Hail to the Chief)

"The Oath of Office will now be administered to the President by the Chief Justice of the United States." MASTER OF CEREMONIES - 1965

"Do you Lyndon Baines Johnson do solemnly swear that you will faithfully execute the Office of President of the United States, and will to the best of your ability, preserve, protect and defend the Constitution of the United States."

CHIEF JUSTICE EARL WARREN - 1965

"I Lyndon Baines Johnson, do solemnly swear that I will faithfully execute the Office of the President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

PRESIDENT LYNDON B. JOHNSON - 1965

The executive powers fall into five major categories. One, Enforcement of the Law and Preservation of Order; Two, Power of Appointments; Three, Power of Removal; Four, Pardon, Reprieves and Amnesty; and Five, Director of Administration. Let us proceed to examine each of these executive powers.

Constitutionally, the obligation to "execute and enforce the law" permits no exception. The President may consider a given law undesirable, as President Harry S. Truman felt when the Republican controlled 80th Congress "overrode" his veto of the Taft-Hartley Labor Act. However, this did not allow Mr. Truman, nor any department official, the right to deny its enforcement.

In 1967, Americans were shocked when violent civil disorder broke out in Detroit, Michigan. A request for federal assistance to suppress this "domestic violence" was made by Governor George Romney. Upon receipt of this request, President Johnson took the necessary steps to preserve "law and order." In an address to the nation, President Johnson explained his feelings and announced that a major investigation of the causes of civil disorders was to be undertaken.

"My Fellow Americans: We have endured a week such as no nation should live through; a time of violence and tragedy. For a few minutes tonight I want to talk about that tragedy. And I want to



talk about the deeper questions that it raises for us all. I'm tonight appointing a Special Advisory Commission on Civil Disorders. Governor Otto Kerner of Illinois has agreed to serve as Chairman. Mayor John Lindsay of New York will serve as Vice Chairman. In their work, the commission members will have access to the facts that are gathered by Director Edgar Hoover and the Federal Bureau of Investigation. The F.B.I. will continue to search for evidence of conspiracy. But even before the Commission begins its work, and even before all the evidence is in, there're some things that we can tell about the outbreaks of this summer. First, let there be no mistake about it: the looting, and arson, and plunder, and pillage which have occurred are not part of a civil rights protest. There is no American right to loot stores or to burn buildings, or to fire rifles from the rooftops. That is crime. And crime must be dealt with forcefully and swiftly, and certainly, under law.

Innocent people - Negro and white - have been killed; damage to property owned by Negroes and whites is calamitous. Worst of all, fear and bitterness which have been loosed will take long months to erase. The criminals who committed these acts of violence against the people deserve to be punished - and they must be punished. Explanations may be offered, but nothing can excuse what they have done. There will be attempts to interpret the events of the past few days, but when violence strikes, then those in public responsibility have an immediate and a very different job: not to analyze but to end disorders.

I have tonight directed the Secretary of Defense to issue new training standards for riot control procedures immediately to National Guard units across the country. Through the Continental Army Command this expanded training will begin immediately. The National Guard must have the ability to respond effectively and quickly and appropriately in conditions of disorder and violence. And these charged with the responsibility of law enforcement should, and must be, respected by all our people. The violence must be stopped - quickly, finally and permanently. And we will continue to press for laws which would protect our citizens from violence. Like the Safe Streets and Crime Control Act now under consideration in the Congress. And the Gun Control Act. And our work has just begun. Yet there are those who feel that even this beginning is too much. There are those who would have us turn back even now, at the beginning of this journey.

Last week in Congress a small but important plan for action in the cities was voted down in the House of Representatives. The members of that body rejected my request for twenty million dollars to fight the pestilence of rats, rats which prowl in dark alleys and tenements and attack thousands of city children. The passage of this legislation would have meant much to the children of the slums. And a strong government that has spent millions to protect baby calves from worms could surely afford to show as much concern for baby boys and girls."

PRESIDENT LYNDON JOHNSON - 1967

Record One  
Side B

**1b**

Band 1: Chief Executive - Part II

The President may appoint, with the "advice and consent" of the Senate, thousands of officials who run the federal government. These officials range from Ambassadors; cabinet heads and their chief assistants; federal judges; military officers; to heads of independent regulatory agencies such as the Federal Communications Commission. To speak with complete accuracy, the President nominates, and the Senate, by a majority present and voting, confirms. This procedure, as explained by Alexander Hamilton in the Federalist Papers, was adopted not to lessen the President's authority regarding appointments, but to curb any spirit of favoritism and to prevent the appointment of unfit persons.

Nominations to judgeships and diplomatic positions have on occasions been either rejected or seriously challenged by the Senate. President Lyndon Johnson upon receiving word that Chief Justice Earl Warren wished to retire, sent the name of Associate Justice Abe Fortas to the Senate for confirmation as the new Chief Justice of the United States. However, his nomination met with a strong fillibuster led by southern conservatives. Administration supporters, although in the majority, were unable to muster the required two thirds vote to invoke Senate Rule 22. This "cloture" rule would have broken the fillibuster. President Johnson not wishing to embarrass Justice Fortas any further, withdrew his name. This action is an excellent example of the constitutional principle of "checks and balance" at work.

President Nixon had an even more difficult time with his two court nominations of Mr. Haynsworth and Mr. Carswell. The following remarks are excerpts from a formal statement he issued on his Supreme Court nominations:

"I have reluctantly concluded - with the Senate presently constituted - I cannot successfully nominate to the Supreme Court and Federal appellate judge from the South who believes as I do in the strict construction of the Constitution. Judges Carswell and Haynsworth have endured with admirable dignity vicious assaults on their intelligence, their honesty, and their character.

My next nominee will be from outside the South and he will fulfill the criteria of a strict constructionist with judicial experience from either a Federal bench or on a state appeals court."

PRESIDENT RICHARD NIXON - 1970

Mr. Nixon's nomination of Judge Blackman of the Federal District Court in Minneapolis was confirmed by the Senate.

When Chief Justice Earl Warren retired, President Nixon's nomination of Warren Burger to fill the vacancy received the "advice and consent" of the Senate. Listen as Mr. Nixon proudly introduced the 15th Chief Justice of the United States.

"Mr. Vice President, members of the Cabinet, I have invited you to the White House tonight for an historic announcement, the nomination of the next Chief Justice of the United States. This announcement is one that I considered for many months since I knew that I would have the responsibility even before I became President. And in making this announcement, and I say this in



due respect for the great responsibility held by all the members of the Cabinet here. I believe that the most important nomination that a President of the United States makes during his term of office is that of the Chief Justice of the United States. I say this for several reasons, The Chief Justice is the guardian of the Constitution of the United States. Respect for law in a nation is the most priceless asset a free people can have and the Chief Justice and his Associates are the ultimate custodian and guardian of that priceless asset.

And when we consider what a Chief Justice has in the way of influence on his age and the ages after him, I think it could fairly be said that our history tells us that our Chief Justices have probably had more profound and lasting influence on their time and on the direction of the nation than most Presidents had. You could see, therefore, why this decision I consider to be so important. I have nominated a man who I think is superbly qualified to serve as Chief Justice. His education is one that he got the hard way. He went to law school at night and worked during the daytime, but he made a brilliant academic record. He was eminently successful in the practice of the law. He was appointed by President Eisenhower as an Assistant Attorney General of the United States in 1953. And then in 1956, had served on the Circuit Court of Appeals for the District of Columbia. I have known him for twenty-one years, and I would evaluate him as being qualified intellectually, qualified from the standpoint of judicial temperament, qualified from the standpoint of his legal philosophy, and above all, qualified because of his unquestioned integrity throughout his private and public life. Ladies and Gentlemen I'm very proud tonight to nominate as the 15th Chief Justice of the United States, Judge Warren Burger." (Applause)

PRESIDENT RICHARD NIXON - 1970

"Thank you very much, Mr. President. Members of the Cabinet, distinguished guests and ladies and gentlemen. At a time like this the best thing to say is very little. I am bound to say, of course, that I am grateful to you Mr. President for your gracious expression of confidence. I hope I shall be able to earn and deserve that confidence. I hope you won't mind if I say in a sense, at least, you pay tribute to all of the sitting Judges of the Federal and State systems in this nomination. Men and women who day in and day out perform the difficult task of the administration of justice. And I hope I can in a way share that with all of them tonight. I thank you very, very much Mr. President. Thank you." (Applause)

CHIEF JUSTICE WARREN BURGER - 1970

It is the power of removal that makes it possible for the President to bend his team to his will. The Constitution makes all civil officers of the United States liable to removal by impeachment, but only upon conviction of high crimes and misdemeanors. But how about presidential officers, appointed by "joint" action of the President and the Senate? Does the Senate's share in the appointing process entitle it to a share in removals? During the drafting of the constitution, there were two opposing views on this subject. Alexander Hamilton argued for senatorial collaboration, but there was also the view that with the President directly responsible for the

efficiency of all national administration, it would be unfair to tie his hands by making it impossible for him to remove an incompetent or negligent official unless the Senate concurred, and therefore, he ought to have power to remove, independently. James Madison, secretary of the Constitutional Convention, was of this view and it was generally accepted until Congress passed the Tenure of Office Act in 1867. This act, an attempt to check the removal power of President Andrew Johnson, stated that the Chief Executive might suspend a civil officer when the Senate was not in session, but he should remove no such officer, not even a member of his cabinet, if appointed with the "advice and consent" of the Senate except with the approval of that body. When President Andrew Johnson attempted to remove a Lincoln appointee, Edwin Stanton as Secretary of War, the Radical Republican Congress proceeded with the impeachment and trial of the President.

The Impeachment trial of Andrew Johnson reached it's dramatic climax on May 16, 1868 when the Clerk of the Senate announced that 35 senators had voted guilty and 19 not guilty on the first of eleven articles of impeachment. When the Radical Senators were unable to produce the two-thirds vote, necessary for removal, the Chief Justice of the United States, declared the President "acquitted" on all articles. He had been saved by one vote. This vote deprived Congress the opportunity of tampering with the constitutional principle of "separation of powers." By 1887, this act was repealed. However, before it was stricken from the statutes, Congress passed another act re-affirming the disputed principle. Both these acts went without "judicial review" until 1920 when President Woodrow Wilson, without consulting the Senate, removed Frank Meyers Postmaster at Portland, Oregon. The "high Tribunal" held that the removal of Meyers without Senate action was constitutional.

As Chief Executive, the President has judicial powers which gives him authority to grant pardons and reprieves. However, one limitation is imposed upon the President by the Constitution, in that he can grant no pardon to any one convicted by the process of impeachment. The President may grant pardons, commute a sentence or cancel a fine. A reprieve is only a postponement of the execution of a sentence. In wielding the pardoning power, the President acts in complete independence of Congress and the courts - it is for him alone to say who shall be pardoned. A modified form of pardon is amnesty. This is a blanket pardon extended to numbers of people who, without necessarily having been individually convicted, were known to have violated a federal law, or engaged in rebellious acts. Amnesty may be declared by an act of Congress, but the usual method is for the President to issue a proclamation, in some cases even before trial. For example, in 1889 President Benjamin Harrison issued a proclamation of amnesty pardoning all Mormons who have violated the antipolygamy laws in the territories. The President may also commute a severe sentence, which is to reduce that sentence. When Lt. William Calley was convicted for the My Lai massacre and sentenced by a military court to life in prison, President Richard Nixon made a dramatic announcement that he was going to "review" the case after all legal channels have been exhausted.

Equally important as the President's authority to appoint, remove and pardon, is the power to direct his administrators in performing their respective duties. The framers of the constitution were of the opinion that the control of administration should be divided between the President and Congress. It is Congress which creates the executive departments and determines what shall be done and how it shall be done. Congress wields a great deal of control over the administrative agencies and operations of the government. Congress alone provides the funds, investigates, suspends or



permanently stops many kinds of administrative action, regardless of the wishes of the President. Nevertheless, Congress does not and cannot by itself, administer day to day affairs. It is the President and his staff who exercise direction and control.

Record Two  
Side A **2a**

Band 1: Commander-in-Chief

The central figure in national defense, especially in the conduct of war, is the President of the United States. The framers of the Constitution, in delegating the military power, "that the President shall be Commander-in-Chief of the Army and Navy of the United States," had a definite precedent to follow. During the "critical period" of our nation's history, most of the "original" thirteen states had decided that their governors would command their state militias.

The nature of the American Constitution was to always subjugate the military establishment to civilian authority. American tradition had made the President a civilian and does not permit him to wear a uniform representing any branch of the armed services. This principle of civilian supremacy over the military can best be described by citing the famous "personal" controversy between General of the Army, Douglas MacArthur and President Harry S. Truman. During the Korean conflict the quarrel developed and reached the breaking point when the Far East Commander, expressed in a letter to Joseph W. Martin Jr., Republican Minority Leader of the House of Representatives, the following:

"My views and recommendations with respect to the situation created by Red China's entry into war against us in Korea have been submitted to Washington in most complete detail. Generally these views are well known and clearly understood, as they follow the conventional pattern of meeting force with maximum counter-force, as we have never failed to do in the past.

It seems strangely difficult for some to realize that here in Asia is where the Communist conspirators have elected to make their play for global conflict."

GENERAL DOUGLAS MACARTHUR - 1951

Upon hearing that Mr. Martin had read the letter to members of the House of Representatives, President Truman concluded that not only was his authority as Commander-in-Chief undermined, but he could no longer tolerate the General's insubordination. With the decision made, the President sent the following message:

"To General MacArthur from the President.

I deeply regret that it becomes my duty as President and Commander-in-Chief of the United States military forces to replace you as Supreme Commander, Allied Powers; Commander-in Chief, United Nations Commander; Commander-in Chief, Far East; and Commanding General U.S. Army, Far East.

You will turn over your commands, effective at once, to Lieutenant General Matthew B. Ridgway. You are authorized to have issued such orders as are necessary to complete desired travel to such places as you select.

My reasons for your replacement will be made

public concurrently with delivery to you of the foregoing message."

In an address to the nation, on April 11, 1951, President Truman explained the reasons for his action with the following:

"I believe that we must try to limit war to Korea for these vital reasons; to make sure that the precious lives of our fighting men are not wasted; to see that the security of our country and the free world is not needlessly jeopardized; and to prevent a third world war.

A number of events have made it evident that General MacArthur did not agree with that policy. I have therefore considered it essential to relieve General MacArthur so that there would be no doubt or confusion as to the real purpose and aim of our policy."

An emotional burst of affection heralded the General's return. However, this outpour of humanity had little affect upon the constitutionality of the President's decision.

As Commander-in-Chief of the Armed Forces of the United States, the President has at his disposal awesome military power. In practice he shares this power with Congress, for Congress not only appropriates funds for maintaining the armed forces, but has the power to declare war. However, in his conduct of foreign affairs the President may "initiate" a situation making war practically inevitable. In the course of stormy negotiations with Mexico, President James K. Polk ordered General Zachary Taylor to move American troops into disputed territory. Mexican authorities had made it clear that such a move would be regarded as an act of war, where-upon her forces promptly fired on our men. Upon the advice of his Cabinet, President Polk sent a "war" message to Congress stating that, "Mexico has invaded our territory and shed American blood upon American soil." During a lengthy debate, led by the young Whig leader, Congressman Abraham Lincoln, demands were made to see the "spot" where American blood had been shed on American soil. However, the mood of the Democratic controlled Congress, reflecting the "manifest destiny" spirit of the voters, was to declare that a state of war existed between the United States and the Republic of Mexico.

During the Civil War, President Lincoln relied heavily on what he understood to be his "prerogatives" as Commander-in-Chief, and although receiving substantial grants of authority from Congress, developed and exercised unprecedented war powers largely on his own "initiative" and responsibility. The President must select Field Commanders to carry out military strategy. President Lincoln, anxious to get on with the war, displayed his power of military command by dismissing a series of generals before finally selecting Ulysses S. Grant as his "supreme" field commander.

During World War I, President Wilson wielded even greater power. But the difference was that he habitually sought and obtained from Congress advance grants of authority. President Wilson selected as his A.E.F. commander, John J. Pershing. The President simply directed that General Pershing was, "vested with all necessary authority to carry out the war vigorously." However, unlike other wars, President Wilson made it clear that General Pershing was subordinate to Marshall Fouch, Supreme Allied Commander in Europe.

In pursuing the conduct of the Second World War, President Franklin Roosevelt predominantly followed



the Wilsonian pattern. He relied on authority delegated by Congress. As his North African field commander the President selected, over a number of senior officers, General Dwight David Eisenhower. As the war developed, the General proved his ability to command, and was appointed Supreme Allied Commander in Europe.

Since World War II America has maintained, as part of her foreign policy, the "containment" of communism. Each presidency during this "cold war" era has been confronted by a crisis with the Communist world.

For the purpose of this study, attention will be focused on the 1962 Cuban Missile Crisis. During the "one thousand days" of the Kennedy Administration, the United States and the Soviet Union were "eyeball to eyeball" at the brink of world destruction - one hasty blink and over the brink. What brought these two "super" powers to this point? It was the events that developed during the month of October, 1962. President John F. Kennedy had been shown aerial photos of missiles and missile bases in Cuba. After long meetings with his National Security Council the President was convinced that the missiles posed imminent danger to the United States. The critical question was: What course of action should he take to correct this situation? In an address to the nation on October 22, 1962, President Kennedy explained the events which led him to make the decision to "quarantine" Cuba. Listen as he spoke to the American people:

"Only last Thursday, as evidence of this rapid offensive buildup was already in my hand, Soviet Foreign Minister Gromyko told me in my office that he was instructed to make it clear once again, as he said his Government had already done, that Soviet assistance to Cuba, and I quote, pursued solely the purpose of contributing to the defense capabilities of Cuba, unquote. Neither the United States of America nor the world community of nations can tolerate deliberate deception and offensive threats on the part of any nation, large or small. We no longer live in a world where only the actual firing of weapons represents a sufficient challenge to a nation's security to constitute maximum peril. Nuclear weapons are so destructive and ballistic missiles are so swift that any substantially increased possibility of their use or any sudden change in their deployment may well be regarded as a definite threat to peace.

In violation of Soviet assurances and in defiance of American and hemispheric policy - this sudden, clandestine decision to station strategic weapons for the first time outside of Soviet soil - is a deliberately provocative and unjustified change in the status quo which cannot be accepted by this country if our courage and our commitments are ever to be trusted again, by either friend or foe.

Our policy has been one of patience and restraint, as befits a peaceful and powerful nation which leads a worldwide alliance. We have been determined not to be diverted from our central concerns by mere irritants, and fanatics. But now further action is required, and it is underway. And these actions may only be the beginning. We will not prematurely or unnecessarily risk the course of worldwide nuclear war in which the fruits of victory would be ashes in our mouth, but neither will we shrink from that risk at any time it must be faced. Acting, therefore, in the defense of our security and this entire Western Hemisphere and under the authority entrusted

to me by the Constitution as endorsed by the resolution of the Congress, I have directed that the following initial steps be taken immediately: First, to halt this offensive build-up, a strict quarantine on all offensive military equipment under shipment to Cuba is being initiated. Second, I have directed the continued and increased close surveillance of Cuba and its military build-up. Should these offensive military preparations continue, thus increasing the threat to the hemisphere, further action will be justified. I have directed the armed forces to prepare for any eventualities. Third, it shall be the policy of this nation to regard any nuclear missile launched from Cuba against any nation in the Western Hemisphere as an attack by the Soviet Union on the United States, requiring a full retaliatory response upon the Soviet Union. Fourth, as a necessary military precaution, I have reinforced our base at Guantanamo, evacuated today the dependents of our personnel there and ordered additional military units to be on a stand-by alert basis. Fifth, we are calling tonight for an immediate meeting of the Organization of Consultation under the Organization of American States. Sixth, under the Charter of the United Nations we are asking tonight that an emergency meeting of the Security Council be convoked without delay to take action against this latest Soviet threat to world peace.

Our resolution will call for the prompt dismantling and withdrawal of all offensive weapons in Cuba under the supervision of United Nations observers before the quarantine can be lifted. Seventh, and finally, I call upon Chairman Khrushchev to halt and eliminate this clandestine, reckless and provocative threat to world peace and to stable relations between our two nations. I call upon him further to abandon this course of world domination and to join in an historic effort to end the perilous arms race and to transform the history of man."

PRESIDENT JOHN F. KENNEDY - 1962

When Richard Nixon assumed the Office of President, he "inherited" the Indo-China War. However, he promised to "bring the boys home" and establish a "just" peace for that troubled region of Asia. To do this, and protect the lives of our fighting men in Vietnam, he used his military powers by ordering "incursions" into neutralist Cambodia. Listen as President Nixon, in a Report to the Nation, "justified" his military decision:

"In co-operation with the armed forces of South Vietnam, attacks are being launched this week to clear out major enemy sanctuaries on the Cambodian-Vietnam border. A major responsibility for the ground operation is being assumed by South Vietnamese forces. For example, the attacks in several areas, including the parrot's beak, are exclusively South Vietnamese ground operations, under South Vietnamese command, with the United States providing air and logistical support. There is one area, however, immediately above parrot's beak where I have concluded that a combined American and South Vietnamese operation is necessary.

Tonight, American and South Vietnamese units will attack the headquarters for the entire Communist military operation in South Vietnam. This key control center has been occupied by the North Vietnamese and Vietcong for five years in blatant violation of Cambodia's neutrality. This is not an invasion of Cambodia. The area in which these attacks will be launched are completely occupied



and controlled by North Vietnamese forces. Our purpose is not to occupy the area. Once enemy forces are driven out of these sanctuaries and once their military supplies are destroyed, we will withdraw. These actions are in no way directed to security interests of any nation. Any government that chooses to use these actions as a pretext for harming relations with the United States will be doing so on its own responsibility and on its own initiative and we will draw the appropriate conclusions.

We take this action not for the purpose of expanding the war into Cambodia but for the purpose of ending the war in Vietnam, and winning the just peace we all desire. We have made and will continue to make every possible effort to end this war through negotiation at the conference table rather than through more fighting in the battlefield. Let's look again at the record. We stopped the bombing of North Vietnam, we have cut air operations by over 20 per cent. We've announced the withdrawal of over 250,000 of our men. We've offered to withdraw all of our men if they will withdraw theirs. We've offered to negotiate all issues with only one condition: and that is that the future of South Vietnam be determined, not by North Vietnam, and not by the United States, but by the people of South Vietnam themselves. The answer of the enemy has been intransigence at the conference table, belligerence at Hanoi, massive military aggression in Laos and Cambodia and stepped-up attacks in South Vietnam designed to increase American casualties. This attitude has become intolerable. We will not react to this threat to American lives merely by plaintive diplomatic protest. If we did, credibility of the United States would be destroyed in every area of the world where only the power of the United States deters aggression.

Tonight, I again warn the North Vietnamese that if they continue to escalate the fighting when the United States is withdrawing its forces, I shall meet my responsibility as commander-in-chief of our armed forces to take the action I consider necessary to defend the security of our American men. The action I have announced tonight puts the leaders of North Vietnam on notice that we will be patient in working for peace. We will be conciliatory at the conference table, but we will not be humiliated. We will not be defeated.

#### PRESIDENT RICHARD NIXON - 1970

Although the president's military authority is great, we should keep in mind that the military powers of the President operate in conjunction with the powers granted to Congress by the Constitution. This principle of "check and balance" can best be described in the following manner. The "enumerated" power granted to Congress is to "raise and support" the armed forces, the "implied" power enables Congress to make all laws "necessary and proper" to carry out the previously mentioned enumerated power.

Record Two  
Side B

**2b**

#### Band 1: Chief Architect of Foreign Policy

The object of foreign policy is to preserve a nation's "way of life" while adjusting to the evolution of world events, and to do so without war, for war represents the failure of foreign policy. Actually, there is no such thing as "a" foreign policy, there

are only policies. Some policies, such as stated in President Washington's Farewell Address, called for our nation, "to avoid entanglements;" or the Monroe Doctrine, which called for Europe to "keep out of the Americas," have endured for decades. In more recent times, the Truman and Eisenhower Doctrines, designed to "contain" communism, is still part of our over-all foreign policy. A policy, such as our unwillingness to extend diplomatic recognition to the Soviet Union from 1917 until 1933, has been abandoned due to changing world conditions.

A policy, when first formulated and adopted, is the product of a great many minds. One of those minds may be the Vice President. To illustrate, in 1966, President Johnson upon returning from his conference with the leaders of South Vietnam in Honolulu, sent Vice President Humphrey on a "fact-finding" mission to Asia for the purpose of "consulting" with our SEATO allies on the conduct of the Vietnam War. Listen as President Johnson outlined the mission his Vice President was to take:

"The distinguished Vice President standing with me here tonight has followed our work over the cable line and I have been in frequent contact with him, the last three days. He is leaving Los Angeles immediately to carry forward the mission that we outlined and we agreed upon and we defined at this very unusual conference in Honolulu. He will go first to Saigon to assure that our representatives there get to work rapidly and effectively on the task that we laid out at Honolulu. He will fly to Saigon with the leaders of the government of South Vietnam, and on the way he will learn how they intend to carry forward their part of the plan in these fields. The Vice President will go from Saigon to other capitals in Asia to explain what was done at Honolulu and the real meaning of our work there and he will also, on behalf of our government, ask for the understanding and the support of other nations."

#### PRESIDENT LYNDON JOHNSON - 1966

"I appreciate the faith and trust you placed in me to go on to Saigon and to help implement some of the decisions and programs and policies agreed upon at that very important conference. We are with our friends in Vietnam, partners in conflict, but we are also partners in social progress. And it is to that endeavor, Mr. President, that I shall try to do my best as your representative and representative of this country, to work with the brave people of Vietnam in helping them to rebuild their country and going on as you have indicated to other capitals to carry the message of America's commitment to the building of human resources and of social and economic progress for all mankind."

#### VICE PRESIDENT HUBERT HUMPHREY - 1966

While the President is the foremost architect of foreign policy, and constitutionally responsible for it, Congress participates in formulating foreign policy too. The Constitution gives the President the diplomatic power "to make treaties" by and with the "advice and consent" of the Senate. In addition, Congress must appropriate the necessary funds to execute all phases of foreign affairs.

During the history of American foreign relations, various Presidents have developed a "style" to their



foreign policies which have been associated with "slogans." For example, when one thinks of Theodore Roosevelt's foreign policies, the slogan: "Speak softly, and carry a big stick," comes to mind; or when Franklin Roosevelt's Latin American policies are mentioned, the thought: "Good Neighbor Policy," comes into mind.

While the President creates the "design" and sets the style of his foreign policies, it is the Department of State, which acts as "contractor" and builds the structure of each policy, based upon the President's "blueprints." The primary function of the State Department is to "acquire" knowledge about foreign nations and to "appraise" that knowledge while "advising" the President. The President, with the assistance of the State Department, negotiates treaties among nations with the goal of resolving problems of mutual interest. By tradition, and Supreme Court interpretation, the President, "alone negotiates foreign policy." Associate Justice Sutherland, speaking for the Supreme Court, states, "Into the field of negotiation the Senate cannot intrude, and Congress is powerless to invade it." However, the powerful voice of the Senate, and especially the Senate Foreign Relations Committee, has on occasions, dealt a "death-blow" to the architectural "design" of several Presidents. The most historic illustration was when Woodrow Wilson submitted the Treaty of Versailles for Senate approval. The "isolationists" Republicans led by Henry Cabot Lodge Sr., Chairman of the Foreign Relations Committee, immediately attacked the heart of the treaty, Wilson's dream of a League of Nations. The historic mistake made by President Wilson was three fold. One, after the Republicans captured control of the Senate in the Congressional Election of 1918, President Wilson should have made his delegation to the 1919 Versailles Peace Conference "bi-partisan;" two, when the Foreign Relations Committee drew up the Lodge "reservations," Wilson should have been flexible enough to reach some form of "accommodation" with that Committee; three, when he took the issue to the people, he was unable to understand that their mood had turned away from international involvement and longed for a "return to normalcy." Thus, when the vote was taken in the Senate, the treaty was rejected, even though the Senate vote was 49 to 35 in favor. The vote was seven shy of the necessary two-thirds required for "consent."

Another example of the Senate attempting to share the diplomatic powers of the President developed during the military build-up of American forces in Vietnam, as ordered by President Johnson. All during this American involvement, powerful voices in the Senate, especially the Chairman of the Foreign Relations Committee, J.W. Fulbright, demanded to know, during extensive hearings, the details of President Johnson's "conduct" of foreign policy in Southeast Asia. On numerous occasions, the Secretary of State, Dean Rusk, was asked to appear before the lights and cameras of the Fulbright "hearings" and under-go close scrutiny. Listen as we recall the "dove" Senators debate President Johnson's Vietnam policies with the Secretary of State.

Burt Hickenlopper (R. Iowa): "The morning paper reports that President Johnson is watching these hearings, I don't know whether that's true or not, I hope it is true, I think it would be..."

Dean Rusk: "I'll soon find out Senator..." (Laughter)

J.W. Fulbright (D. Ark.): "We have many precedents for this inquiry. One of the most effective and distinguished leaders of the Senate, that the Senate has ever had (Lyndon Johnson), on May the 6th, 1954, just before the fall of DIEN BEIEN PHU expressed himself well on this

subject, and I quote: "We will insist upon clear explanation of the policies in which we are asked to co-operate. We will insist that we and the American people be treated as adults that we have the facts without sugar-coated."

Albert Gore (D. Tenn.): "What we are seeking to do now is to go over the head of the President, to the American people, and reach him by way of the people. Now there's nothing particularly un-American in going over the head of someone, after all Congress has been a victim of this..."

Wayne Morse (D. Oregon): "I happen to hold to the point of view it isn't going to be too long before the American people, as a people, will repudiate our war in Southeast Asia."

Unidentified General: "That of course is good news to Hanoi, Senator."

Wayne Morse (D. Oregon): "Oh, I know that the smear artist militrist give to those of us who have honest differences of opinion, but I don't intend to get down in the gutter with you and engage in that kind of debate, General."

J.W. Fulbright (D. Ark.): "What I'm pleading with you for and have been awkwardly, I think, is this isn't a kind of conflict, it was a vast escalation, a vast expenditures of money and many thousands of deaths, I think it's not that kind of a vital interest, as I could cite many other instances. And I also think a great country, especially this country, is quite strong enough to engage in a compromise without loosing its standing in the world, without loosing its prestige as a nation. On the contrary, I think it would be one of the greatest victory for us and our prestige, if we could be ingenious and magnanimous enough to bring some kind of settlement of this particular struggle. That's all I'm trying to ask, I don't want you to give up or turn tail or do anything disgraceful..

Dean Rusk: "Well, Mr. Chairman, we wouldn't have much of a debate between us on the question of compromise and settlement, but we can't get anybody into discussions for purpose of talking with."

J.W. Fulbright (D. Ark.): "Well, I think there is something wrong with our approach, because unless you assume these people are utter idiots, I mean there must be something wrong with our diplomacy."

Dean Rusk: "Senator, is it just possible there is something with them?"

J.W. Fulbright (D. Ark.): "Yes. There is a lot wrong with them. They're very primitive difficult poor people that have been fighting for twenty years. I don't understand, myself, why they can continue to fight, but they do."

Dean Rusk: "And they want to take South Vietnam by force."

J.W. Fulbright: "Well, the liberation front says they like to take it over by elections... I don't know, you can deny that, but that's what they say."

Dean Rusk: "They are requiring us to accept their Liberation Front as the sole genuine representation of the people of South Vietnam. That's what we heard privately. We're not hearing a lot of things privately that you don't get publicly."



J.W. Fulbright: "Normally, that's the way it used to be done in the old days and not on the front page and in every capital of the world. It used to be done in a different way. I confess, I'm at a disadvantage to know what they done or what you done privately, but, .. well, I yield to the Senator from Oregon, I've said too much already."

A very interesting constitutional struggle over who conducts foreign policy developed during Senate consideration of the 1972 Foreign Military Assistance Program. The Senate Foreign Relations Committee, unanimously voted to suspend all foreign military aid unless the Pentagon supplied the committee information concerning the Administration's long-range plans for military assistance. President Nixon, by refusing to disclose the requested information, invoked a doctrine known as "executive privilege", a doctrine to deny information Congress requested of the Executive Branch. The Constitution nowhere refers expressly either to the powers of Congress to obtain information, or to the power of the Executive to withhold information from Congress. However, both of these rights are rooted in history and precedent. The committee chairman, Senator J.W. Fulbright, when formally notified that the President would not furnish the data requested, said:

"It is my personal view that the state of the American economy, and especially our balance-of-payment situation, makes it essential that the burden on the United States of outright gifts of military equipment and training to over 30 countries must be scrutinized most carefully this year. That scrutiny requires that the Congress have available to it the Administration projection for military assistance for the next few years - information which is not now to be forthcoming."

SENATOR J.W. FULBRIGHT - 1971

In refusing to divulge the military assistance information, President Nixon expressed concern that, "unless privacy of preliminary exchange of views between personnel of the executive branch can be maintained the full frank and healthy expression of opinion which is essential for the successful administration of government would be muted."

As a result of World War II, a new word has been added to the "art" or diplomacy - SUMMITRY. Summitry is the coming together of the world's major political leaders for the purpose of exploring ways to reduce world tension and to establish broad guide-lines of understanding. The history of summitry has, so far, been in three phases. First, in one of the most decisive confrontations in modern history, the "Big Three" war leaders: Churchill, Roosevelt and Stalin, meet at Yalta - on the Black Sea, in February, 1945. The result of this first "summit" conference was an agreement on a post-war partition of Germany and Berlin; and a clarification of a proposed United Nations Charter. The second phase took place at Potsdam, a suburb of Berlin, in the Summer of 1945. With Europe at peace, British Prime Minister Attlee, President Truman and Soviet Premier Stalin agreed that the Soviet Union should enter the war against Japan; "finalized" procedures for Allied prosecution of Nazi war criminals; and established occupational "zones" for Germany. The third phase was when President Eisenhower met with French Premier Faure, British Prime Minister Anthony Eden and Soviet Premier Bulganin, in the summer of 1955, at Geneva. The purpose of this third "summit" conference was to seek resolutions of the German question and "de-escalation" of the COLD WAR.

The history of Summitry had taken on a new dimension when the two "super-powers" - United States and the Soviet Union, had on three occasions entered into bi-lateral talks at the highest level of leadership. The first of these talks took place at Camp David, Maryland in 1959 between Premier Nikita Khrushchev and President Dwight D. Eisenhower. The "spirit" of Camp David, calling for the relaxing of East-West tensions, developed as an outcome of this meeting.

In 1961, President John F. Kennedy went to Vienna, Austria to get a first hand look at the Soviet leader, who threatened to "bury us" - Nikita Khrushchev. The latest of these "bi-lateral" talks was held in 1967 at Glassboro State College in New Jersey between President Lyndon Johnson and Soviet Premier Alexis Kosygin. Their agenda consisted of such critical topics as the Israeli-Arab conflict; War in Indo-China; nuclear arms race and East-West trade restrictions. President Johnson and Premier Kosygin agreed not to let any disagreement push their nations into a nuclear war.

During the preparation of this documentary, President Nixon announced, to a surprised but hopeful world, that he was going to make a Journey for Peace to Peking, China. His goal will be to seek some kind of accommodation with the leaders of the People's Republic of China, a political entity which we have yet to extend diplomatic recognition. If this meeting takes place it will mark the first time that an Asian nation has taken its place in the "council" of world powers.

Record Three  
Side A

**3a**

Band 1: Chief Legislator - Part 1

Many students of American history are of the opinion that the "law-making" process is an exclusive function of the Legislative Branch, namely, the Congress. This is a false assumption, for Constitutional authority and custom states that the President is intimately associated with the legislative process, thus his title - "Chief Legislator." The Constitution "mandates" that the President, "shall, from time to time, give to the Congress information of the State of the Union and recommend for their consideration such measures as he shall judge necessary and expedient." By this legislative power, the President takes the lead in developing the legislative program.

Let us now devote attention to, first the Constitutional "mandate" of the President; and then proceed to discuss how "custom" has helped to expand the legislative role of the Presidency.

The State of the Union message is a broad outline of the legislative program, which in a sense is a, "preview of coming attractions." It is delivered annually to a "joint" session of Congress. In recent years, so as to give the American people a feeling of involvement, the Address has been given "live" radio and television coverage and in the evening. Since the President serves as Chief of his political party, his message usually contains several "planks" of his party's platform which he campaigned on during the previous presidential election. When Vice President Johnson assumed the Office of President, as the result of the assassination of President John F. Kennedy, he promised to carry out the unfinished work of President Kennedy's "new frontier" program. However, after receiving the "mandate" to lead the nation in the Election of 1964, President Johnson incorporated much of the Kennedy goals into a broad domestic program called, "The Great Society." Listen as President Johnson listed his "I propose" legislative



program to the Congress in his 1965 State of the Union address:

"I propose that we begin a program in education to ensure every American child the fullest development of his mind and skills. (Applause) I propose that we begin a massive attack on crippling and killing diseases. (Applause) I propose that we launch a national effort to make the American city a better and more stimulating place to live. (Applause)

I propose we increase the beauty of America and end the poisoning of our rivers and air that we breathe. (Applause) I propose that we carry out a new program to develop regions of our country that are now suffering from distress and depression. (Applause) I propose that we make new efforts to control and prevent crime and delinquency. (Applause) I propose that we eliminate every remaining obstacle to the right and opportunity to vote. (Applause)

PRESIDENT LYNDON JOHNSON - 1965

The President may submit a "special" message, or deliver his message before a "joint" session of Congress, on a particular subject for which he desires immediate action by Congress. To illustrate, in 1971, President Nixon, before a "joint" session of Congress, delivered a "special" message on his desire to have enacted into public law a series of economic reform measures which he called his New Economic Policy for America. Listen as the President asked the Democratic controlled 92nd Congress to enact his legislative program to halt inflation:

"Mr. Speaker, Mr. President, my colleagues in the Congress, our distinguished guests; I come before this special joint session to ask the cooperation of the Congress in achieving a great goal: a new prosperity without war and without inflation. It is customary for a President to ask the Congress for bipartisan support in meeting the challenges of war. Today, I come before you to ask bipartisan support in meeting the challenges of peace. (Applause)

Twenty-five days ago I took action to advance the goal of a new prosperity without war and without inflation. I ordered a 90-day freeze on prices and wages. I ordered a \$4.7 billion cut in federal spending, to allow for tax cuts to create new jobs. On the international front, I ordered a temporary 10 per cent surcharge on products imported from abroad, and I ordered the convertibility of the dollar into gold - suspended.

The reaction of the American people to the New Economic Policy has been unselfish and courageous. The reaction of our trading partners abroad has been measured and constructive. And I ask the Congress to respond in a similar spirit, as the Congress has to so many other great challenges in the past. This is a time to set aside partisanship. Let us join together in placing the national interest above special interests in America. (Applause) I ask the Congress to consider as its first priority before all other business, the enactment of three tax proposals that are essential to the new prosperity. These three measures will create 500,000 new jobs in the coming year.

First, I urge the Congress to remove the 7 per cent excise tax on automobiles, so that the more than 8 million people in this country who will buy new American-built cars in the next year

will save an average of \$200 each. This is a sales tax paid by the consumer. Its removal will stimulate sales and every 100,000 additional automobiles sold will mean 25,000 additional jobs for American workers.

Second, I urge the Congress to adopt a job development credit to encourage investment in machinery and equipment that will generate new jobs. This credit was advocated by a Democratic President and enacted by a Democratic Congress in the 1960's. It was enormously effective then in creating new jobs. It will be just as effective in creating new jobs now, today.

Third, I urge the Congress to create more consumer purchasing power by permitting the planned \$50 increase in personal income tax exemption scheduled for 1973 to take effect next January 1, one full year ahead of schedule.

The system of wage and price stabilization that follows the freeze will require the fullest possible cooperation not only between the executive and legislative branches, but also by all Americans.

Let us remember also that nothing would be more detrimental to the new prosperity in the long-run than to put this nation's great, strong free-enterprise system in a permanent strait jacket of government controls. Regimentation and government coercion must never become a way of life in the United States of America. That means that price and wage stabilization, in whatever form it takes must be only a way station on the road to free markets and free collective bargaining in a new prosperity without war. Freedom brought America where it is today, and Freedom is the road to the future of America. (Applause)

PRESIDENT RICHARD NIXON - 1971

Presidents tend to establish their "style" for domestic legislation during their Inaugural Address. This traditional practice has developed into a "custom" expected immediately upon taking the Oath of Office. In this century, six presidents have successfully established their style with the American people. They are: Theodore Roosevelt and his SQUARE DEAL; Woodrow Wilson's NEW FREEDOM; Franklin Roosevelt's NEW DEAL; Harry Truman and his FAIR DEAL; John F. Kennedy's NEW FRONTIER and Lyndon Johnson's GREAT SOCIETY. Each of these styles have helped the people and the Congress to understand the philosophy of the President. Thus, much success came to each of their legislative innovations. Probably the best speech citing the values of presidential styles was delivered by Senator John F. Kennedy during his "acceptance" speech at the 1960 Democratic National Convention in Los Angeles. Try to appreciate his remarks as we recall that great night for the Junior Senator from Massachusetts.

"We stand today on the edge of a "New Frontier." The frontier of the 1960's. The frontier of unknown opportunities and perils. The frontier of unfilled hopes and unfilled threats. Woodrow Wilson's "New Freedom" promised our nation a new political and economic framework. Franklin Roosevelt's "New Deal" promised security and succor to those in need. But the "New Frontier" of which I speak is not a set of promises, it is a set of challenges. It sums up not what I intend



to offer the American people, but what I intend to ask of them."

SENATOR JOHN F. KENNEDY - 1960

Once the President's legislative program is known to the Congress, the real task of "persuasion" begins. There are three techniques used by the President to "influence" Congress into enacting his legislative program: Patronage, threat of a "special" session of either house or Congress, and the Veto power.

Patronage refers to the power of the President to appoint to public office, persons recommended to him by Congressmen or party leaders. If you recall, we discussed the use of patronage during our examination of the President as Chief Executive. While the civil service system has sharply reduced the number of positions that a President may fill by partisan appointment, there are still thousands of positions to fill, and here is where the President uses these appointments as a "bargaining" point for support of his legislative program.

The threat of a "special" session of Congress has been used on several occasions. In 1913, President Woodrow Wilson, as part of his "New Freedom" legislation, warned Congress that if it adjourned without acting on his Federal Reserve System proposal, he would promptly call it back into special session. Where upon Congress quickly acted favorably on the measure.

The Eightieth Congress, controlled by the Republican Party, as a result of the 1946 Congressional Election, refused to enact much of President Truman's legislative program. Therefore, Truman, in his "acceptance" speech before the 1948 Democratic National Convention, stunned the delegates by announcing that he was going to invoke his presidential powers by calling that, "Good-for-nothing" Eightieth Congress, as he liked to call it, back into special session. What seemed to have made the President angry was the knowledge that at the Republican National Convention held earlier, that party had adopted, in its "platform," many of the same measures which it rejected during the two sessions of the Eightieth Congress.

The Constitution states that the "law-making" process is to be shared by the Executive as well as the Legislative Branch of the federal government. Every bill enacted by Congress must be sent to the President for his consideration. If the President has no objections, then the bill becomes law. However, if he objects, he must send the bill back to the house where it originated along with his reasons for invoking his veto power. It should be noted here that many times the mere threat of a veto is sufficient to defeat a bill in Congress. President Andrew Jackson's veto of the recharting of the Second Bank of the United States, in 1832, established a precedent. Up to that time, Presidents had based their use of the veto on the grounds that a bill was unconstitutional. Andrew Jackson, not trusting the banking institutions in the East, injected other reasons for the use of the veto. As a result of this legislative leadership on the part of President Jackson, other Presidents have been more willing to use their veto power as a positive technique in the art of influencing Congressional behavior. In 1970, President Nixon vetoed, the Health, Education and Welfare Department's appropriations bill on grounds that it exceeded his "fiscal" budget and was "inflationary." President Nixon, not wishing to be labeled, "anti-education," set a dramatic precedent by signing his veto message to Congress in a "live" televised Report to the Nation. If you listen carefully to his remarks, you may even hear the stroke of his pen.

"I have here on my desk a bill. This bill provides funds for the Department of Health, Education and Welfare. Now in this bill that I have before me, the Congress has increased the amount that I recommended by a billion two hundred sixty million dollars. Over one billion dollars of this increase is in the field of education. Now why in an election year, particularly, would a President hesitate for one moment to sign a bill providing for such politically popular causes as this one. The reason is this, the President of the United States has an obligation to consider all the worthy causes that come before him. And he is to consider them having in mind only one principle: What is best for all the people of the United States? I believe that the increase over the amount that I recommended, the increase which is contained in this bill passed by the Congress is not in the best interest of all the American people. Because it is the wrong amount for the wrong purposes and at the wrong time.

Now if I approve the increased spending contained in this bill I would win the approval of many fine people who are demanding more spending by the federal government for education and health. But I would be surrendering in the battle to stop the rise in the cost of living. A battle which we must fight and win for the benefit of every family in this nation. A second reason I'm vetoing this bill is that I believe that it increases spending for the wrong purposes. The increased spending ordered by Congress for the most part simply provides more dollars for the same old programs without making the urgent new reforms that are needed if we are to improve the quality of education and health care in America. An example of the unfairness of this bill is the impacted air program which is supposed to help areas which need assistance because of the presence of federal installations. The bill provides six million for the one half million people who live in the richest county in the United States, and only three million dollars for the three million people that live in the one hundred poorest counties in the United States. President Eisenhower, President Kennedy, President Johnson all criticized this program as being unfair. And yet the Congress in this bill not only perpetuates this unfair program, it adds money to it. The third reason I'm vetoing this bill because it requires the money to be spent at the wrong time. We're now nearly three quarters way through the school year. This bill forces us to spend the money appropriated and we would have to spend it all before June 30. When money is spent in a hurry a great deal is wasted. There's no good time to waste the taxpayer's money, but, there's no worst time to waste it than today. The Congress will determine on Wednesday, whether it will sustain or over-ride my veto of this legislation. If the veto is sustained, I will immediately seek appropriations which will assure the funds necessary to provide the needs of the nation in education and health. You can be sure that no school will need to be closed, no school child will be denied an education as a result of the action I take tonight. I will work with the Congress in developing a law that will ease the transition to educational reform and do so without inflation.

Now for these reasons for the first time tonight, instead of signing a bill which has been sent to me by the Congress, I am signing this veto message. My fellow Americans I believe this action is in the



long-range interest of better education and improved health care. But most important, I believe this action that I have just taken is in the vital interest of all Americans in stopping the rise in the cost of living."

PRESIDENT RICHARD NIXON - 1970

Record Three  
Side Two

**3b**

Band 1: Chief Legislator - Part II

Probably the first President to extensively use the communications field for the express purpose of influencing the "electorate" to lobby the Congress into enacting his legislative program, was Franklin Roosevelt. During those hectic first "Hundred Days" of the Roosevelt Administration, the President not only made ten speeches, sent Congress fifteen messages, talked to the Press twice a week, but on Sunday, March 12, 1933, he delivered, over the radio networks, the first of many "fire-side" chats with the American people. The subject of that first chat was the banking crisis and his reasons for declaring a bank "holiday" that previous week. President Roosevelt knew well the art of public speaking, as Will Rogers said, he discussed, "the complicated subject of banking and made everybody understand it, even the bankers."

The development of the Presidential "Press" Conferences, another important technique to get the public behind the President's legislative program, went through three phases. Most Presidents had invited members of the Washington "Press" Corps to the "oval" room of the White House whenever an important announcement was to be made. However, it was the Eisenhower "style" which brought about the second phase, by allowing newsreel cameras to cover his Press Conferences. The television networks later broadcast edited portions for the American public. President Kennedy elevated the importance of the Press Conference by having "live" radio and television coverage from State Department's auditorium. President Nixon has continued the practice of live coverage, however, he holds his press conferences in the East Room of the White House. At times the Press Conference can have numerous moments. For example, here is an excerpt of one of President Kennedy's Press Conferences:

Miss Craig: "Mr. President, the practice of managed news is attributed to your administration. Mr. Sallinger (Kennedy's Press Secretary) said he never had it defined. Would you give us your definition of and ask us why you find it necessary to practice it?"

President Kennedy: "You are charging us with something, Miss Craig, and then you're asking me to define what it is you're charging me with. I think you might, let me just say that we had very limited success in managing the news, if that's what we've been trying to do. Perhaps you tell us what it is that you object in our treatment of the news."

Miss Craig: "Are you asking me?"

President Kennedy: "Yes"

Miss Craig: "Well, I don't believe in managed news at all. I thought we ought to get everything we want."

President Kennedy: "I'm for that too, Miss Craig, I'm for that."

Un-Identified Reporter: "Mr. President, the Defense Department's announcement on the incident in Florida's Straits said simply that the MG's fired near the ships."

President Kennedy: "Correct."

Un-Identified Reporter: "And you used the term attack. Now, did these MG's attack the boat and missed, or did they harass the boats?"

"That's a...I don't think we have the answer to that question. I think the shots came within forty yards of the boat. Whether that's a... I would think if you're on the boat that's regarded as a (Laughter) as an attack, and whether they were trying to hit the boat or whether they were merely attempting to ...target practice - all these things we will have to look at the next day or so."

PRESIDENT JOHN F. KENNEDY - 1962

Probably, the most important technique to gain the people's support is known as the Report to the Nation. This formal, yet impressive presentation, is an attempt by the President to place the full weight of his office behind a particular issue which he believes requires "urgent" attention. By using prime-time, as it is known in the broadcast industry, he attracts the widest possible audience. There have been numerous critical reports of this study, the address on Welfare Reform delivered in 1969 by President Richard Nixon will be presented because it represents a very serious problem not only for Washington, but the state and local governments as well.

"My purpose tonight, however, is not to review the past record, but to present a new set of reforms - a new set of proposals - a new and drastically different approach to the way in which Government cares for those in need, and to the way the responsibilities are shared between the States and Federal Governments.

I have chosed to do so in a direct report to the people because these proposals call for public decisions of the first importance; because they represent a fundamental change in the nation's approach to one of the most pressing social problems; and because, quite deliberately, they also represent the first major reversal of the trend toward ever more centralization of government in Washington, D.C.

This new approach aims at helping the American people do more for themselves. It aims at getting everyone able to work off welfare rolls and onto payrolls. It aims at ending the unfairness in a system that has become unfair to the welfare recipient, unfair to the working poor and unfair to the taxpayers. This new approach aims to make it possible for people - wherever in America they live to receive their fair share of opportunity. It aims to ensure that people receiving aid, and who are unable to work, contribute their fair share of productivity. This new approach is embodied in a package of four measures: first, a complete replacement of the present welfare system; second, a comprehensive new job training and placement program; third, a revamping of the Office of Economic Opportunity; and fourth, a start on the sharing of the Federal tax revenues with the states.



Next week - in three messages to the Congress and one statement - I will spell out in detail what these measures contain. Tonight I want to explain what they mean, what they are intended to achieve, and how they are related. Whether measured by the anguish of the poor themselves, or by the drastically mounting burden on the taxpayer, the present welfare system has to be judged a colossal failure. And that is why tonight I therefore propose that we abolish the present welfare system and that we adopt in its place a new family assistance system. Initially, this new system will cost more than welfare. But unlike welfare, it is designed to correct the condition it deals with and thus to lessen the long-range burden and cost. Under this plan, the so-called "adult categories" of aid to the aged, to the blind, the disabled - would be continued, and a national minimum standard for benefits would be set, with the Federal Government contributing to its cost and also sharing the cost of additional state payments above that amount.

But the program now called "aid to families with dependent children" - program we all normally think of when we think of "welfare" - would be done away with completely. The new family assistance system I propose in its place rests essentially on these three principles: equality of treatment across the nation, a work requirement and a work incentive. Its benefits would go to the working poor, as well as the non-working; to families with dependent children headed by a father as well as to those headed by a mother; and a basic Federal minimum would be provided, the same in every state. What I am proposing is that the Federal Government build a foundation under the income of every American family with dependent children that cannot care for itself and wherever in America that family may live. The new family assistance would provide aid for needy families; it would establish a work requirement, and a work incentive; but these in turn require effective programs of job training and job placement - including a chance to qualify not just for any jobs, but for good jobs, that provide both additional self-respect and full self-support. Therefore, I am also sending a message to Congress calling for a complete overhaul of the nation's manpower-training services.

The Federal Government's job-training programs have been a terrible tangle of confusion and waste. To remedy the confusion, arbitrariness and rigidity of the present system, the new manpower-training act would basically do three things: It would pull together the jumble of programs that presently exist, and equalize standards of eligibility. It would provide flexible funding so that Federal money would follow the demands of labor and industry, and flow into those programs that people most want and most need. It would decentralize administration, gradually moving it away from Washington bureaucracy and turning it over to state and localities.

In terms of its symbolic importance, I can hardly overemphasize this last point. For the first time, applying the principles of the New Federalism, administration of a major established Federal program would be turned over to the states and local governments, recognizing that they are in a position to do the job better.

One common theme running through my proposals tonight is that of providing full opportunity for every American to play a productive role. And a third is the need to make government itself workable - which means reshaping, reforming, innovating. The Office of Economic Opportunity is basically an innovative agency - and, it has a vital place in our efforts to develop new programs and apply new knowledge. But in order to do so effectively, what it can do best, O.E.O. itself needs reorganization. This administration has completed a thorough study of the O.E.O. We have assigned it a leading role in the effort to develop and test new approaches to the solving of social problems. O.E.O. is to be a laboratory agency where new ideas for helping people are tried on a pilot basis, and when they prove successful, they can be "spun off" to operating departments or agencies - just as the space agency, for example, "spun off" the weather satellite and the communications satellite when these proved successful. Then, O.E.O. will be free to concentrate on breaking even newer ground. The O.E.O. reorganization to be announced next week will stress this innovative role. It also will stress accountability, a clear separation of functions, and a tighter, more effective organization of field operations.

We come now to a proposal which I consider profoundly important to the future of our Federal system of shared responsibilities. When we speak of poverty or jobs or opportunity, or making government more effective or getting it closer to the people, it brings us directly to the financial plight of our states and cities. We can no longer have effective government at any level unless we have it at all levels. There's too much to be done for the cities to do it alone, for Washington to do it along, or for the states to do it alone. For a third of a century, power and responsibility have flowed toward Washington - and Washington has taken for its own the best sources of revenue. We intend to reverse this tide, and to turn back to the states a greater measure of responsibility - not as a way of avoiding problems, but as a better way of solving problems. Along with this would go a share of Federal revenues. I shall propose to the Congress next week that a set portion of the revenues from Federal income taxes be remitted directly to the states - with a minimum of Federal restrictions on how those dollars are to be used, and with a requirement that a percentage of them be channeled through for the use of local governments.

The funds provided under this program will not be great in the first year. But the principle will have been established, and the amounts will increase as our budgetary situation improves. This start on revenue sharing is a step toward what I call the New Federalism. It is a gesture of faith in America's state and local governments, and in the principles of democratic self-government. With this revenue-sharing proposal, we follow through on a mandate which the electorate gave us last November.

I have discussed these four matters together because together they make both a package and a pattern. They should be studied together, debated together and seen in perspective. Now these proposals will be controversial, just as any new program is controversial. And they also are expensive. Let's face that fact frankly and directly. In the final analysis, we cannot talk our way out



of poverty; we cannot legislate our way out of poverty; but this nation can work its way out of poverty. What America needs now is not more welfare but more "workfare." The task of this Government, the great task of our people, is to provide the training for work, the incentive to work, the opportunity to work, the reward for work. Together, these measures are a first long step in that direction. For those in the welfare system today, or struggling to fight their way out of poverty, these measures offer a way to independence through the dignity of work. For these able to work, these measures provide new opportunities to learn work, to find work. And for the working poor - the forgotten poor - these measures offer a fair share in the assistance given to the poor.

This new system establishes a direct link between the Government's willingness to help the needy, and the willingness of the needy to help themselves. It removes the present incentive not to work and substitutes an incentive to work; it removes the present incentive for families to break apart, and substitutes an incentive for families to stay together. Poverty will not be defeated by a stroke of a pen signing a check; and it will not be reduced to nothing overnight with slogans or ringing exhortations. Poverty is not only a state of income. It is also a state of mind, a state of health. Poverty must be conquered without sacrificing the will to work, for if we take the route of the permanent handout, the American character will itself be impoverished."

PRESIDENT RICHARD NIXON - 1969

Record Three  
Side B

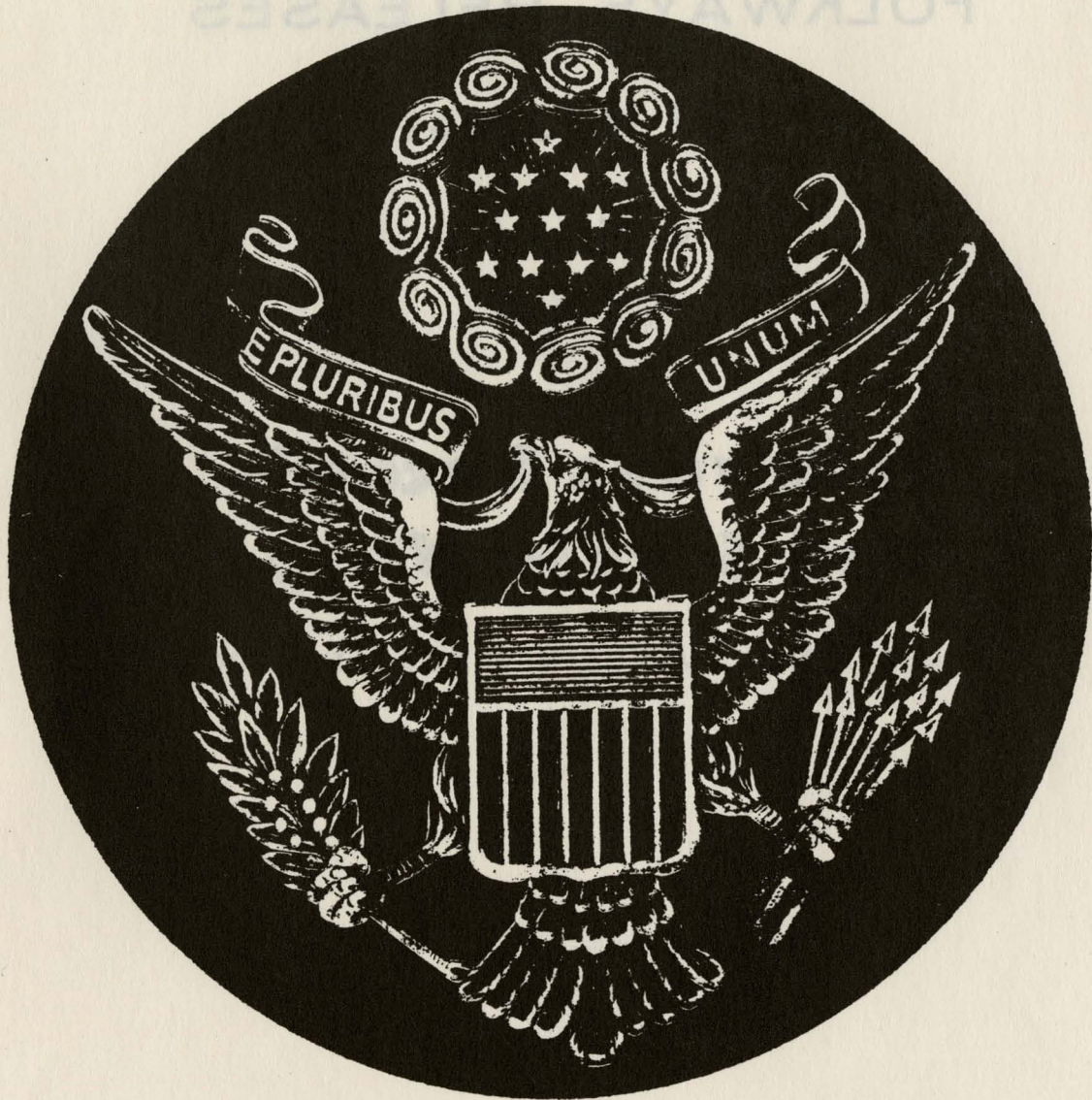
3b

Band Two: Conclusion

We have just concluded an examination of the five major powers of the American Presidency: Executive, Judicial, Military, Diplomatic and Legislative. In discussing these powers, we stressed that the President had a solemn responsibility as Chief Executive to enforce all laws enacted by Congress with no exception or impartiality. It is also his responsibility to preserve "law and order" when civil authority breaks down. His judicial powers grant him the right to give reprieves and pardons for offenses against the United States, except in cases of impeachment. As Commander-in-Chief, the President's military powers are vast. However, when using these powers he must consult the Congress so that effective action can be achieved. The diplomatic powers of making treaties and appointing ambassadors and ministers must be in conjunction with the Senate's "advice and consent" power. And the President's legislative powers include sending messages to Congress on the State of the Union; recommending enactment of measures he deems necessary; calling Congress into special session and vetoing bills he does not approve.

Thus, we must conclude that the most important single office in the government of the United States is that of President. The Presidency, is in fact, the most powerful position in the Free World.







For Additional Information About  
**FOLKWAYS RELEASES**  
of Interest

write to



**Folkways Records  
and Service Corp.**

701 SEVENTH AVENUE, NEW YORK, N.Y. 10036

