

Chapter 36 – Nixon Rules: The 92nd Congress

Pres. Richard Nixon was not an ideologue but rather a pragmatist. He chose to run for the House in 1946, his first elective attempt, as a Republican because it was apparent that it was going to be a Republican year. He wanted to be on the House Un-American Activities Committee because the communist threat was a winning plank in Republican campaigns and offered greater opportunities for self-publicization than did public policy. He came to the attention of the country through astute manipulation of the Alger Hiss investigation. Pushed on the older and moderate Dwight Eisenhower as his youthful and more right-wing running mate, he languished for eight years, as President Eisenhower survived a heart attack, and Nixon followed the vice-presidential playbook of over-the-top partisanship. When his hard right image had failed him in the presidential race in 1960 and the California Governor's contest in 1962 despite his efforts to moderate it, he was saved by the rise of a true far-right ideologue, Barry Goldwater, to the Republican presidential nomination in 1964. His rising moderate reputation enabled him to win the presidency in 1968 by contrast between the liberal Democrat Hubert Humphrey and the overtly racist independent George Wallace. For the first two years of his presidency, he had worked to get a handle on the job, which no one is truly prepared for. By 1971 he was ready to rule.¹

Nixon's own account of the situation that year follows:

The last months of 1971 were the lowest point of my first term as President. ... Early in January it was announced that unemployment had reached 6 percent – the highest point since 1961. In February we became involved in the Laotian operation, which turned out to be a military success but a public relations disaster. ... The economy was in bad shape and did not look like it was going to get better very soon. On the foreign exchange markets the dollar hit its lowest point since 1949. ...it looked as if the war could drag on indefinitely, although the increasing strength of the antiwar forces in Congress might mean a sudden termination vote or cutoff of funds at almost any time.²

But 1971 and 1972 would hold great accomplishments for the President and end in a huge reelection victory. This success resulted from Nixon reversing all that the American people, and even more so, that American politicians had come to expect of him.

The economy was dealt with by tax cuts, a Republican goal but without the cuts in spending that would have avoided increasing the federal spending deficit – a Keynesian fix and Republican anathema. The dollar was devalued and divorced from the gold standard to help address its weakening situation in the world economy, but this was a solution abhorrent to the hard-money right. Even worse from a traditional Republican perspective, Nixon took advantage of powers granted by the Democratic 91st Congress to impose wage and price controls. The President also pushed through his revenue sharing

¹ An early illustration of Nixon's lack of conservative ideology was his proposal of a guaranteed base income to every family in his Family Assistance Plan in 1969. As Republican political analyst Kevin Phillips wrote, "... revulsion against this sort of welfairism helped put Richard Nixon in the White House...." House Ways and Means reported HR 16311 by a 21-3 vote, the dissenters being Democrats, including Class member Omar Burleson of Texas. The House passed the bill 243-155 with Northern Democrats 115-12 and Republicans 102-72 in favor, and Southern Democrats opposed 11-60, but it failed to get out of the Senate Finance Committee with only one Democrat supporting it. Plan author Daniel Moynihan blamed its failure on Southern Democrat and Republican opposition to the increased spending and the politics of "welfairism." Moynihan, especially 355-6, 365, 370, 372, 429, 456-7. Phillips is quoted in Moynihan, 372.

² Nixon *Memoirs*, 497.

proposals, transferring federal funds to states and localities without many of the strictures of previous federal aid. It was not only big government, but it was big government without many bounds.

Nixon's solution to the Vietnam War was to reduce American manpower while increasing reliance on the South Vietnamese army. Despite his optimistic portrayal of his widening the land war to Laos using Vietnamese troops, Vietnamization was not ending the war, and Nixon began offering North Vietnam a complete withdrawal in exchange for a cease-fire.³ Whatever the lack of success in or abandonment of preventing a communist takeover of South Vietnam, American boys were increasingly less likely to go and die there. North Vietnam's rejection of partial victory led Nixon to increasing use of air power to pummel the North and to support South Vietnamese and allied troops in the field. Antiwar protests continued and even had their largest turnouts, but served increasingly to irritate many voters and politicians.

The old cold-warrior that Nixon appeared to be in the 1940s and 1950s turned out to be the President who was willing to abandon South Vietnam and to make an accommodation with the People's Republic of China, diminishing Nationalist China, that centerpiece of Republican Christianity in the process. Nixon also signed the Anti-Ballistic Missile Treaty with the Soviet Union, America's other major cold war antagonist, reducing the defensive missile systems of the two countries. Goldwater's concerns on Vietnam, wage and price controls, and China he kept to himself to avoid criticizing his Party's leader, but later in his memoirs would complain, "Nothing Nixon did surprised me anymore. He had contradicted himself so often that I was beginning to expect it."⁴

House Republicans tended to follow the lead of their President even as he sacrificed most of their policy beliefs. Congressional Quarterly's measure of "presidential support" showed House Republicans increasing their average support of the President from 62% in the 91st Congress to 72% in 1971, though this waned to 64% in 1972. This metric makes no distinction between major and minor issues and disagreements. The biographer of Glenn Davis of Wisconsin, a member of the Class of '46, would personalize the conflict of many and particularly the more conservative Republicans with Nixon's pragmatism: "... many loyal Republicans began to see their job as foot soldiers for Nixon, who could push the Republican line from the White House while they mustered enough numbers to protect his veto flanks. As time wore on, however, it became apparent even to hard-line Nixon loyalists like Glenn that Nixon wasn't pushing the Republican line, but the Nixon line."⁵

Carl Albert of Oklahoma achieved the acme of any member's service in the House of Representatives with his election as Speaker in 1971. John McCormack's retirement from the House opened the post, and there was never any doubt about who would fill it. When Albert announced his intention on May 20, 1970, Morris Udall of Arizona, who had challenged McCormack's reelection as Speaker, predicted that Albert would be Speaker "by acclamation." The day before the January 19, 1971, Democratic Caucus, John Conyers of Michigan announced an intentionally symbolic opposition to Albert's election because of a conflict over the seniority of the Mississippi Democrats. Conyers took 20 votes in Caucus, while Albert had 220.⁶

³ Richard Reeves (2002), 268, 427.

⁴ Edwards, 354, 366-7. Goldwater with Casserly (1988), 258-9.

⁵ Kevin Smith, 288.

⁶ *CQWR*, May 22, 1970, 1360; January 22, 1971, 176.

Conyers charged in Caucus that the Mississippians were elected on an all-white ticket, refusing to run as candidates of the racially integrated Democratic ticket recognized by the national Party. The seniority of the delegation was confirmed in Caucus by vote of 111-55.⁷

Political analysts Michael Barone, Grant Ujifusa, and Douglas Matthews would observe critically, “It is a measure of how steeped in tradition – and remote from the public it is supposed to serve – that the House has long been, that it was taken utterly for granted, as a matter not worthy of comment much less criticism, that a decision made by two men, Rayburn and McCormack, twenty years before should ineluctably insure that, in 1975, Carl Albert is Speaker.”⁸

But Albert’s elevation was not quite that inevitable. The more liberal Democrats were less than thrilled with the choice, worrying he would not be a strong Speaker. It also appears that McCormack was less than committed to Albert’s taking his place. Wilbur Mills of Arkansas was apparently informed by the retiring Speaker of his decision before he let Albert know, which could have given Mills a head start to activate supporters. Mills had turned down a movement to challenge Albert for Majority Leader in 1961, when the position opened up with McCormack’s move up to Speaker. The Chair of the Ways and Means Committee, one of the three exclusive committees in the House and whose Democratic members determined committee assignments for their party, Mills was generally recognized as one of the most influential legislators of all time and highly respected for both his competence and his fairness. Future speaker Thomas O’Neill would characterize Mills as one of the two most able people he knew in the House, and Albert would not be the other one.⁹

Albert’s ascension to Speaker freed up the Majority Leader position, the obvious heir being majority whip Hale Boggs of Louisiana, but the marination of tradition that Barone, Ujifusa, and Matthews observed was not apparent. A bevy of challengers emerged: Udall, B.F. Sisk of California, James O’Hara of Michigan, Wayne Hays of Ohio, and Edward Boland of Massachusetts. A Udall victory would give the liberal wing a shot at the speakership when the 62-year-old Albert would retire. Sisk, from a State delegation of 20 Democrats, and who had been drifting toward the right, hoped to appeal to Southerners unhappy with Boggs, who had been wandering left. O’Hara appealed to Democratic members with strong union constituencies. Hays possessed little constituency but self-promotion and a “mean streak,” per O’Neill. Boland apparently held to a mystical belief in the so-called Austin-Boston axis that had ruled the House since 1940; he quickly dropped out. Hays and O’Hara left after the first secret ballot, with Boggs winning on the second with 140 votes to Udall’s 88 and Sisk’s 17. Udall was not helped by his challenge to McCormack two years before. The retired Speaker got on the phone to remind members of that.¹⁰

Not long after Bogg’s promotion, he had an encounter with a member of the Class of ’46, E.A. Mitchell. The Hoosier served one term in the House but had remained active in the Republican Party while in charge of his wholesale foods company in Evansville. Both men were guests at the Gridiron Dinner in March 1971, an annual stag satirical affair of the Washington press corps. At the next table to Mitchell was Boggs, sometimes described as “hard drinking” and “vulnerable.” Both characteristics may have upset Mitchell, who followed the Majority Leader to the men’s room to complain that his running commentary on the skits

⁷ *CQWR*, January 22, 1971, 177.

⁸ Barone, Ujifusa, and Matthews (1975), 700.

⁹ *CQWR*, December 25, 1970, 3074. Goss, 94-5, 142. Albert with Goble, 313. O’Neill with Novak, 224. On the Committee and on Mills, see Manley.

¹⁰ Boggs with Hatch, 230-2. O’Neill with Novak, 126, 214-20. Albert with Goble, 325-8. On the Austin-Boston axis, see Champagne, Harris, Riddlesperger, and Nelson. The six speakers from 1940 to 1989 were from either Texas-Oklahoma or Massachusetts.

was too loud and too Democratic. The “husky” Indianan knocked the 6’2” Louisianan to the floor. Apparently, neither man was too much the worse for the altercation, and both returned to their seats for the rest of the show.¹¹

In johnny-jump-up fashion, the majority whip position, vacated by Hale Boggs, then became available. This position was not elected by the Caucus but rather was the choice of the Majority Leader with the effective advice and consent of the Speaker. Boggs wanted to give the position to Daniel Rostenkowski of Chicago, but Rostenkowski had withheld his support from Albert for Speaker, and Albert did not forget the story that the Chicagoan had seized the gavel from him at the Democratic Convention in 1968. In late October 1970, McCormack and Albert outvoted Boggs to award the position to Thomas O’Neill of Massachusetts, a protégé of the outgoing Speaker. This is the account of McCormack’s biographer. Both Albert and O’Neill would place the decision subsequent to the January 1971 Caucus.¹² Any public announcement would have necessarily followed Bogg’s selection as Majority Leader, but Albert would note in his account that O’Neill’s connection to McCormack was a deciding factor, and the ousting of Rostenkowski as Caucus chair on January 19 argues for the earlier date.

Rostenkowski had served two one-year terms and was expecting reelection, when the Texas delegation nominated Class member Olin Teague for Caucus chair. Teague actively campaigned against his own election and revealed his own secret ballot with Rostenkowski’s name on it. Teague won 155-91. Certainly, Albert had much to do with this outcome, though the liberal wing of the Party also were opposed to Rostenkowski and supportive of Teague, less because of philosophy than of the individual contestants. Rostenkowski was Chicago Mayor Richard Daley’s man in the House. Teague was, as Barone, Ujifusa, and Matthews put it, “the premier back-slapper in the House.”¹³

The Caucus made a number of rule changes that would put greater responsibility on the chair to conduct its regular meetings. While the seniority of the Mississippi delegation was confirmed, the Caucus made a rule that if ten members demanded it, the seniority of any member, including that of committee chairs, could be subjected to a vote. The Caucus also decreed that no member could be chair of more than one subcommittee. Two days later, the Caucus met again and approved the reinstitution of the on-and-off again 21-day rule limiting how long the Rules Committee could hold legislation. The next day, the House as a whole rejected this rule. The rule was on Albert’s initiative, Mississippi Rep. William Colmer at age 80 still chairing Rules. Sisk, defeated for majority whip but still on the Rules Committee, moved to delete the proposed 21-day rule, and the motion was supported by Republicans 149-20 and Southern Democrats 69-4. The Southerners in the Class of ’46 all supported the motion, as did Republican Glenn Davis, but so did Democrats Edward Garmatz of Maryland and, shockingly, John Blatnik of Minnesota. Republican William McCulloch of Ohio did not vote. Congressional Quarterly described the rejection as a “large defeat” for the new Speaker.¹⁴

A day after the Democratic Caucus provided for challenges of seniority, the Republican Conference enacted its own rule, providing for a secret vote on nominations for committee chairs or ranking minority

¹¹ Nelson, 606, 730. *The Indianapolis Star*, December 24, 1947. *The Palladium-Item and Sun-Telegram*, March 17, 1971. *The Kokomo Tribune*, March 17, 1971. *CQWR*, August 6, 1971, 1642.

¹² Nelson, 760-2. O’Neill with Novak, 219-20. Albert with Goble, 327-8.

¹³ Barone, Ujifusa, and Matthews (1972), 791. John Jacobs, 227. Matthews, 110-1. O’Neill with Novak, 218. Remini, 429. Albert with Goble, 327. The vote count is from Out2News.com.

¹⁴ *CQWR*, January 22, 1971, 175; January 29, 1971, 258; August 6, 1971, 1640-1.

members. If the nominee were rejected, the Committee on Committees would submit another candidate.¹⁵

In March 1971, Speaker Albert would find himself again embarrassed as the House voted 360-3 to pass HR 4690. The bill began as an action to raise the ceiling on the federal debt, and the House passed it 227-162 on March 3. The Senate then added a 10% increase in Social Security benefits to the bill as well as a higher minimum monthly benefit and changes in Social Security taxes, and off it went to conference. The conference tinkered with the tax rules and the minimum benefit and left the 10% across the board raise in place. The conference report was adopted in the House on March 16, and there was the discomfiture to the Speaker. The 360-3 vote meant there were 72 members who failed to be recorded increasing the Social Security benefits of their constituents. Majority Leader Hale Boggs had announced there would be no vote that day and he, himself, was absent. But Albert allowed the conference report to be brought to the floor by Wilbur Mills, who said that raising the debt ceiling was urgent, and a vote was taken. "I shouldn't have done that. It was a snap judgement," said Albert, and perhaps six dozen representatives were very unhappy.¹⁶

In August 1971 Congressional Quarterly published a six-month appraisal of the new Democratic leadership in the House. The Albert-Boggs-O'Neill triumvirate were given improved marks on process, flubs on Social Security notwithstanding, compared to McCormack-Albert-Boggs. But there were suggestions of Albert's weakness in dealing both with the powerful committee chairs as well as in constructing a unified Democratic coalition. It was noted, "The difference in style between Albert and McCormack is apparent from the arrangement of their offices. McCormack held court in the Speaker's rooms just off the House floor, entertaining large groups of friends on a first-come, first-served basis in the manner of a Boston ward politician. Albert has been spending more of his time in a private office several corridors away, quieter and far less crowded."¹⁷ The fact that McCormack, previously compared unfavorably with his predecessor, the supposedly more gregarious Sam Rayburn, was now reportedly a social lion compared to his successor should give pause to any attempts to accurately assess the personalities and actions. It seems that the new Speaker always struggles to fill the shoes of the old Speaker.

Later in the 92nd Congress, Albert suffered another embarrassment as Southern Democrats combined with Republicans to defeat an increase and expansion of the federal minimum wage. The Speaker had made the changes a major objective of his. HR 7130 was stalled in the Rules Committee by Chair Colmer from November 10, 1971. On March 2 Albert and Hale Boggs publicly called for Democrats on the Committee to overrule their Chair. Twelve days later, an in-your-face delay, Colmer announced he would hold hearings, but not until April 11. Finally on May 9, Rules reported the Bill with an open rule, allowing the introduction of a Republican substitute amendment. The two-to-one Democratic majority on the Committee was obviously unresponsive to the Democratic leadership. The substitute was adopted by the House 217-191 with Southern Democrats supporting it 58-15. The substitute delayed the minimum wage increases and eliminated the expansion of coverage. When the Senate passed a version that restored much of the original bill, the House refused 190-198 to go to conference and the bill died. Congressional Quarterly pronounced the result "a severe disappointment" for Albert. Robert Jones of Alabama was the only Southern Democrat in the Class of '46 to oppose the substitute but was joined by Joe Evins of

¹⁵ *CQWR*, January 22, 1971, 175.

¹⁶ *CQWR*, August 6, 1971, 1640. "Social Security: 10-Percent Increase; Debt Raised," *CQ Almanac 1971*, on-line.

¹⁷ *CQWR*, August 6, 1971, 1639-42.

Tennessee and Teague in supporting a conference. Democrat Watkins Abbitt of Virginia moved a losing amendment that would have delayed minimum wage increases even more so than the substitute.¹⁸

The big change for the Class of '46 in committee position from the 91st Congress was Blatnik's accession to chairship of Public Works on the failure of renomination by Chair George Fallon of Maryland against a peace candidate. Fallon was preeminently a highway builder and Blatnik a proponent of environmental and health protections. The authors of *The Almanac of American Politics* opined, however, that the new Committee Chair was a great disappointment to environmentalists, now in poor health and in charge of the overall committee with its devotion to pork barrel projects. In subcommittee leadership he shifted from Rivers and Harbors and the Special Subcommittee on the Federal-Aid Highway Program to the Special Subcommittee on Economic Development Programs.¹⁹

Blatnik, now 60, suffered a heart attack in November 1971 and was in hospital for about a month. In August 1972 he was in hospital again for nine days and it was reported he had had two "mild" heart attacks in the past year. Further heart tests were anticipated.²⁰

Fallon's forced retirement also moved Jones up to the second seat on the Committee and Bryan Dorn of South Carolina to the ninth seat.

Blatnik resigned from the Committee on Government Operations when he assumed the chairship of Public Works. This, in combination with the death of Chair William Dawson of Illinois at age 84 on November 9, 1970, moved Jones to fourth on Government Operations and Garmatz to fifth. Government Operations was never a primary concern of either of these members of the Class. Garmatz, of course, retained his chairship of Merchant Marine and Fisheries and Jones his chairship of the Public Works Subcommittee on Flood Control and Internal Development, while losing the chair of the Ad Hoc Subcommittee on Appalachia.

Democrat Harold Donohue of Massachusetts continued to move up on Judiciary, now to third, with two failures of renomination, displaced by more liberal Democrats. On the exclusive committees, Democrat Omar Burleson of Texas was benefitted in rank on Ways and Means with Hale Boggs' departure on becoming Majority Leader. In addition, Jacob Gilbert of New York, who beat Burleson in Caucus for the Committee seat in 1967, lost renomination to another incumbent due to redistricting. When John Watts of Kentucky died at age 69 on September 24, 1971, Burleson moved up another notch, in aggregate advancing from twelfth in the 91st Congress to ninth.²¹

Democrat Evins and Republican Glenn Davis both advanced on their respective sides of the Appropriations Committee. The death of Michael Kirwan of Ohio at age 83 on July 27, 1970, moved Evins from eighth to seventh. Davis took a bigger leap, from eleventh to eighth due to the death of Glenard Lipscomb of California at age 54 on February 1, 1970, plus a retirement and a defeat. Evins, having been responsible for shepherding the appropriations bills from Independent Offices and Housing and Urban Development (HUD) as chair of that subcommittee since 1966, shifted to chairing the Subcommittee on Public Works, which Kirwan had headed. Public Works included the Tennessee Valley Authority, important

¹⁸ "House Vote Kills Legislation Raising Minimum Wage," *CQ Almanac* 1972, on-line. Passman and Glenn Davis missed the vote on the substitute.

¹⁹ Barone, Ujifusa, and Matthews (1972), 329. Barone, Ujifusa, and Matthews (1975), 451.

²⁰ *The La Crosse Tribune*, August 22, 1972. *The Daily Journal* (Fergus Falls), August 30, 1972. *CQWR*, September 2, 1972, 2264; October 7, 1972, 2530. *The Minneapolis Star*, September 4, 1972.

²¹ Barone, Ujifusa, and Matthews (1972), 115, 549-50, 646. Fenno (1966), 144.

to Evins' district, and also offered opportunities to cast a more nationwide pork barrel influence, while avoiding the more highly partisan battles over HUD.

Abbitt and Teague remained two of the six Democrats on the Committee on Standards of Official Conduct. The Committee was now tasked with the case of Democrat John Dowdy of Texas, currently in his tenth term. Dowdy was indicted on March 31 and convicted on December 30, 1971, on federal charges of crossing state lines to receive a bribe, conspiracy to obstruct justice, conspiracy to violate conflict-of-interest statutes and five counts of perjury. The bribe was a payment of \$25,000 in 1965 from a Maryland builder who defrauded Washington homeowners on home improvement jobs. Dowdy was third ranking Democrat on the District of Columbia Committee that was investigating the builder.²²

Dowdy announced on January 18, 1972, he would not run for reelection and later promised not to vote on the floor, but did not resign his seat and appealed his conviction. The Standards Committee took up the case and decided not to eject Dowdy from the House but to ban his voting in committee and on the floor. Teague was a character witness for Dowdy in his Federal trial and joined Abbitt in a minority report from the Standards Committee opposing prevention of his voting. They argued that the House had no authority to prevent his voting short of expelling Dowdy by a two-thirds vote. The Committee's resolution called for voluntary abstention from committee business, and his voting in the House was never brought to a vote on the floor. Dowdy violated his promise with respect to committee business. On appeal, Dowdy's conviction for perjury was confirmed, but the other charges were dismissed.²³

The members of the Class of '46 had now achieved substantial influence in the House, measured just by their formal offices. Carl Albert was Speaker. Teague was chair of the Democratic Caucus. Evins was chair of the Democratic Patronage Committee. Blatnik, Garmatz, and Teague were chairs of standing committees. McCulloch was ranking minority member on the Committee on the Judiciary. Otto Passman of Louisiana and Evins were chairs of Appropriations subcommittees. Davis was ranking minority member on the Appropriations Subcommittee on District of Columbia. Burleson was on the Ways and Means Committee. Abbitt, Donohue, Dorn, and Jones were chairs of subcommittees. Dorn had also carved out a role as a leader of the "textile group," as Congressional Quarterly termed it, noting that it was more influential in its limited area than the "southern caucus" led, though increasingly inactively, by Burleson.²⁴

Eleven of the thirteen members of the Class of '46 were now in their 13th term in the House. Dorn was in his 12th, Davis in his 9th.

The two leaders of the Class of '46 in their respective parties were not active in constitutional issues in a congress that initiated the 26th Amendment guaranteeing the right to vote for 18-year-olds. The 92nd Congress also proposed the Equal Rights Amendment to ensure that rights not be denied on the basis of sex, something which Class member and former Rep. Katherine St. George (R NY) had introduced in congress after congress. This Amendment would not be ratified within seven years as provided in the enabling resolution or in the extension to 1982.

It was rather in issues of freedom of the press and school prayer that Albert and McCulloch were prominent.

²² *CQWR*, January 8, 1972, 56.

²³ *CQWR*, May 13, 1972, 1098. Thompson, 80. "Congressional Review: The Issue was Federal Spending," *CQ Almanac* 1972, on-line. 479 F.2d 213.

²⁴ *CQWR*, June 11, 1971, 1280.

CBS's telecast of "The Selling of the Pentagon" in February 1971 documented the public relations activities of the Department of Defense. Defenders of Defense and of the Vietnam War rose to the support of both. The Investigations Subcommittee of the Committee on Interstate and Foreign Commerce subpoenaed outtakes from the documentary's recordings on the contention that CBS biased the program. CBS President Frank Stanton refused to comply, and the Subcommittee and then the full Committee resolved in HRes 534 to hold him in contempt. The House rarely refused such a resolution but it did in this case. Albert failed to attempt to keep the Resolution from the floor but then "directed the parliamentary maneuver" to defeat it by recommittal on a vote of 226-181. This was a great embarrassment to Subcommittee and Committee chair Harley Staggers (D WV), and the backend play was taken as a measure of inattentiveness or ineptness on Albert's part and thus another mark against the new Speaker.²⁵ The Class' Southerners, as well as Baltimorean Garmatz and Republican Davis, voted against recommittal. Blatnik voted to recommit. Donohue and McCulloch did not vote, as so Albert, the Speaker's usual practice. Overall, Southerners and Border Democrats opposed recommittal; Northern Democrats and Republicans supported it.

In 1962 and 1963 the Supreme Court had held that New York, Maryland, and Pennsylvania were establishing religion in violation of the First Amendment by directing prayer or Bible readings in the public schools. This was the "most widely defied" of the Court's rulings according to one historian. Public and political reaction led to a number of efforts to overrule the decision through constitutional amendment. All failed until a grassroots effort came close in 1971. HJRes 191 was held in the Judiciary Committee until a rarely successful discharge petition brought it to the floor on November 8, 1971. In debate, McCulloch spoke, "The force of law is not necessary to call forth meaningful, voluntary prayer. It is only necessary to constrain people to pray who do not want to pray." Speaker Albert stepped down from his chair to oppose the resolution, saying, "I am not prepared to let the meddling hand of government at any level in any degree be placed on any man's altar." McCulloch moved to recommit the Resolution, which lost by voice. The Resolution then failed to get the necessary two-thirds for a constitutional amendment, 240-162.²⁶

The Class divided, but not by region or perfectly by religion. The Southerners split 3-4 for the Resolution, the Border Democrats 1-1, the Northern Democrats 1-1, the Midwestern Republicans 1-1. The Baptists, all of whose major conventions opposed the resolution, split 2-2. The US Catholic Conference opposed the amendment and the Catholics in the Class split 1-1. The Council for Christian Social Action of the United Church of Christ was against the resolution and those in the Class split 1-1. Presbyterian and Methodist organizations were opposed and so were their three members. The Classmate in the Disciples of Christ voted for the Resolution. The Classmate who declared himself "Protestant" was also for it. The religions predominant in the congressional districts of the Class do not clarify their vote. Members split if their districts had substantial populations of Baptists, Methodists, or Catholics. The one district with a large number of Lutherans produced a Classmate in support of the Amendment, which the Board of Social Ministry of the Lutheran Church in America opposed.²⁷

The Gallup Poll in 1963 reported that 70% of Americans opposed the Supreme Court decisions on prayer in the schools. Were the Classmates who were more threatened for reelection in 1970 more likely to support the amendment? The three with the lowest election percentages, Glenn Davis with 52%, Donohue with 54%, and Abbitt with 61% voted for the resolution. But the other three supporters of the

²⁵ *CQWR*, July 16, 1971, 1508-9; August 6, 1971, 1641. Sally Smith, 474-6.

²⁶ Irons, 409-13. *Congressional Record*, November 8, 1971, 39892, 39957. "School Prayer Amendment: House Vote Defeats Move," *CQ Almanac 1971*, on-line. *Engel v. Vitale*. *Abington School District v. Schempp*.

²⁷ District religions are from Gaustad.

amendment had had no election nor primary opponent. Was the vote on the amendment a matter of general ideology – liberals more opposed, conservatives more supportive? The Voteview Project assigns all members of all congresses scores based on all roll call votes and reports a statistical dimension which it interprets as support for government intervention in the economy or liberal-conservative. The thirteen members of the Class line up on the vote on the Resolution in the following order from most liberal to most conservative: NNYNNYNNYNNY.²⁸ The most liberal was opposed, the most conservative was supportive, but the in-betweeners appear random. In conclusion, the decision on HJRes 191 was either the result of a complex association of these various determinants, or it was something else. Given the heavy lobbying on the issue from both sides of the debate, perhaps it was which side made the better argument or who made it.

On a matter of central concern to democratic elections, Abbitt was the co-sponsor with new Chair Wayne Hays of the Committee on House Administration of HR 8284, a bill to regulate and limit expenditures on federal election campaigns. Abbitt had served on the Subcommittee on Elections since the 85th Congress and as its chair from the 91st, when he sponsored the Federally Contested Elections Act to provide specific procedures about such contests in the House. The rising spending on election campaigns and, perhaps more so, Joe McGinniss' 1969 book, *The Selling of the President 1968*, prompted S 3637 in the 91st Congress, which Nixon successfully vetoed. HR 8284 and a raft of similar bills in the 92nd Congress led to a clean committee bill, HR 11060, but the enacted bill was S 382. This work has largely ignored reported figures on campaign contributions and spending because, apart from any underreporting by candidates' campaigns, spending on candidates by other entities was often unreported and in 2010 would be given a virtual carte blanche by the Supreme Court in *Citizens United v. FEC*. In 1971, news continued to break about contributions from the maritime industry, perhaps illegal, to Garmatz and other congressmen.²⁹

The House proved ready to surrender its constitutional authority to determine, with consent of the Senate and the President, government spending when it approved HR 16810, a bill to raise the limit on the national debt and to allow the President to place a ceiling on Federal spending for fiscal 1973. Faced with rising deficits and inflation, Mills' Ways and Means Committee included the presidential initiative alone in the third increase in the debt ceiling in 1972. The Democratic leadership, thinking they could use deficits and inflation against Nixon and his Republican Party in the coming election, scheduled the necessary deficit increase as the closing act of the 92nd Congress. That leadership also pressured the Rules Committee to allow amendments to HR 16810, a rare option for a Ways and Means bill. Nixon, however, could also argue that it was congressional largesse that fed government spending and that he was prepared to restrain it if Congress would only pass the bill as submitted. The leadership's amendment to replace the presidential initiative to eliminate spending with a presidential initiative to suggest cuts brought Speaker Albert once again to the floor to oppose the "abdication" of congressional powers to the President. But the amendment was rejected 167-216 and the bill passed 221-163. The Senate would have nothing of the delegation of powers to the President, and a simple increase in the limit on the deficit was

²⁸ Gallup, 1837. Voteview.com.

²⁹ "Campaign Spending: Major Reform Bill Neared Passage," *CQ Almanac 1971*, on-line. *A History of the Committee on House Administration 1947-2012*. 558 U.S. 310 (2010). *CQWR*, March 19, 1971, 628; August 21, 1971, 1784.

enacted. Mills, Albert, and the House lost prestige, and Nixon escaped the hard choices a spending limit would have imposed on him.³⁰

The vote on the leadership's amendment was largely partisan, with only nine Republicans supporting it and 60 Democrats opposing, though Southern Democrats opposed it 30-42. Among the members of the Class of '46, however, the Southerners supported the amendment 5-2, Abbitt and Burleson opposing. Otherwise the vote by the Class was along partisan lines. On passage, everyone in the Class flipped from amendment opposition to passage support and vice versa except for Dorn and Passman, who opposed passage. More explicitly, while Dorn and Passman showed institutional support on the amendment vote, Evins, Jones, and Teague backed the Democratic leadership on passage.

Nixon held up his approval of S 2770, the Water Pollution Control Act Amendments of 1972, until the Congress granted him the spending limitation authority in HR 16810. Once that authority was denied, he vetoed the bill which would authorize \$25 billion over three years. The President had asked for \$6 billion. The Senate overrode the veto 52-12, then the House 247-23. Blatnik had an established track record on leadership of clean water bills. Whereas his premier position on such legislation was subsumed by Public Works Chair George Fallon in the 91st Congress, in the 92nd Blatnik, either due to his bad health or to personal inclination enabled members of the Committee he now chaired to take the initiative on many issues. Water pollution was no exception. Two bills with Blatnik as primary sponsor, HR 12741 and HR 11896, were shepherded through the House by Jones, who moved successfully to substitute their contents for S 3122 and S 2770, respectively. S 3122 extended the existing Water Pollution Control Act and was approved by Nixon. Given that the conference report on S 2770 passed 366-11 and the House overrode the veto 247-23, support for this bill was widespread. Only one member of the Class of '46 showed any opposition. Passman voted to uphold the veto.³¹

Blatnik was the primary sponsor of three public works bills that made it out of Congress and the substantive sponsor of two Senate bills whose content was replaced by Blatnik's legislation. HR 15950 provided emergency funding for highways impacted by disasters. HR 15951 authorized the Army to undertake a national program of dam inspections. S 2317 incorporated HR 9922, which extended the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965. S 575 was Blatnik's HR 5376 authorizing funds for the Appalachian Development Act. Pres. Nixon vetoed S 575 and the Senate sustained him. HR 16071 expanded the Public Works Act of 1965, was submitted to the President at the end of the Congress, and was subject to pocket veto. Blatnik broke with earlier Public Works chairs in the consideration of allowing the Highway Trust Fund to be used for other than highways. Nevertheless, an effort to authorize the use of the funds for mass transit failed in the House with Blatnik's opposition.³² As a committee chair, Blatnik was of a much lower order of magnitude than Teague and Garmatz. Only nine bills for which Blatnik was the prime sponsor were reported out of his Committee, and four made it out of Congress.

³⁰ "Third Debt Ceiling Bill: Spending Limit Rejected," *CQ Almanac 1972*, on-line. *Congressional Record*, October 10, 1972, 34613.

³¹ Evins and McCulloch did not vote on the conference report. Burleson and Glenn Davis did not vote on the override.

³² *CQWR*, November 20, 1971, 2399-403. "Lack of House Quorum Kills Highway Aid Compromise," *CQ Almanac 1972*, on-line.

Garmatz' domination of the work of the Merchant Marine and Fisheries Committee remained extreme. In the 92nd Congress he was the primary sponsor of 32 bills reported by the Committee, 30 of which passed the House and 24 were enacted.

Teague's own activity in Veterans' Affairs legislation declined again. While in the 91st Congress, 24 bills that had been reported were his primary sponsorship, in the 92nd it was 16 out of 113 introduced. All but one in each congress passed the House. In the 91st, 15 were enacted but in the 92nd only 6 were, though he also substituted his HR 15439 for S 3338, which was enacted. Nixon vetoed two, and another was not taken to conference to resolve differences between the two houses. One of the vetoes was of an effort to establish a cemetery system within the Veterans' Administration (HR 12674), whereas a national cemetery system already existed. The other was of HR 10880, which would have opened the veterans hospitals to treatment of some dependents, which could have been a substantial expansion of federally provided medical services. HR 9265 passed the House 379-0 and would have provided treatment of drug dependency for veterans. The Senate added treatment for alcohol dependency. Well after the House approval of HR 9265 but before the Senate action, S 2097 was enacted to establish a Special Action Office for Drug Abuse Prevention. The scope of the Office was wider than veterans, but it was given authority over Veterans' Administration drug abuse programs, a coverage which Teague bitterly opposed on the floor. It appears that Teague, as a result, lost interest in HR 9265, and there was no effort to resolve the differences with the Senate.³³

Teague remained highly active on his second Committee on Science and Astronautics. He remained, in particular, a proponent of manned space flight, continuing to fight for the space shuttle as a successor to Apollo. Much of his battle was against the more liberal forces in the Democratic Party, who saw funds for manned space flight taking away moneys from domestic needs. Nixon, finally in January 1972, came out for the shuttle but for a much scaled-down two-person vehicle. The Representative's passion for manned missions connected him with a group called The Committee for the Future that wanted to pay privately for a manned landing on the Moon, using surplus NASA hardware. He introduced HRes 979 for a study of the project, which needless to say, did not literally get off the ground.³⁴

A somewhat related matter was the development of a commercial supersonic transport by the United States. The Government had spent over \$800 million on the project since 1961. The Franco-British Concorde flew in 1969, though it would not go into service until 1976, and an American product was lagging. Budget hawks and environmental activists had actively worked to end funding since 1964, and in 1971 they succeeded. Teague was a supporter of the SST, unsurprisingly because of his interest in space and aeronautics and also because Dallas, partly in his congressional District, was a recipient of federal funds for the project. But then Worcester, Massachusetts, received three times the funds as did Dallas, and its representative, Donohue, voted to end the funding. Davis did not have such a moneyed connection to the project. He voted to eliminate the funding, presumably as a budget hawk, but then on May 12, 1971, when the second fiscal 1971 appropriations bill (HR 8190) passed the House and he again voted against the funding, he was among six Republicans successfully pressured by Minority Leader Ford to

³³ "Veterans' Health Care," and "Drug Treatment for Veterans," *CQ Almanac 1972*, on-line.

³⁴ [Hechler], 284-93. Glenn and Robinson, 70-3. In Hubbard, 146-9, the leader of The Committee for the Future described her encounters with Teague. Two other representatives introduced equivalent resolutions to Teague: Kenneth Gray (D IL) H.Res. 1013 and Larry Winn (R KS) H.Res. 1043. The Committee testified before Teague's Subcommittee on Manned Space Flight on March 9, 1972.

change their votes to “present.” Nevertheless, the Senate did not agree with the House and the American SST was dead.³⁵

Southern Democrats appeared to be drifting toward their Northern brethren on some issues, but did that apply to equal rights issues? The business-related matter at hand was employment. Pres. Franklin Roosevelt created a Fair Employment Practice Committee in 1941 that expired in 1946. In 1964 an Equal Employment Opportunity Commission was established by the Civil Rights Act. These bodies had not the power to force employers to resolve complaints of job discrimination based on race, although in 1963 the Attorney General was given the authority to bring suit, but not in cases of individual discrimination. Efforts to give the Commission the power to sue had failed and, even more so, attempts to grant it a more immediate power to cease and desist.³⁶

In 1971, HR 1746, the Equal Employment Opportunities Enforcement Act, was approved by the House. As reported, the Bill included the power to issue cease-and-desist orders. On the floor, cease-and-desist was replaced 200-195 by amendment with the authority to sue in federal court. A motion to recommit was rejected 130-270 and the bill passed 285-106. Albert in debate noted that in fiscal 1970 there were 17,000 charges of discrimination filed and only 225 conciliations and that cease-and-desist was needed. Louisianan Majority Whip Hale Boggs spoke for cease-and-desist.

Minority Leader Gerald Ford opposed cease-and-desist, but the point man of Republican support for equal rights, McCulloch, supported it. The Ohioan, however, was not present for the debate. In 1970 he had been hospitalized after a fall. It was reported later that a blood clot had resulted, necessitating surgery. He was not present on opening day of the 92nd Congress, being sworn in by resolution. He was not present to vote on the floor until September 13, 1971. He then missed votes on the 14th and 16th and did not vote again until the 22nd. During debate on the 16th, Republican Conference Chair John Anderson read a letter from McCulloch in support of cease-and-desist. His voice was missed.

Republicans supported the substitution of suit for cease-and-desist 131-29. Southern Democrats did also, 59-12. Among the Class of '46, those most opposed to equal rights in employment voted for the amendment, for recommitment, and against passage; that was Burleson, Dorn, and Jones. Voting opposite to these was Donohue. Blatnik and Garmatz opposed the amendment, supported recommitment (perhaps on the possibility that a better version would re-emerge from committee) and then voted for passage. Teague, possibly as befitting the Chair of the Democratic Caucus, opposed the amendment but then voted for recommitment and against passage – as a Southerner, one feels. Southerner Passman, apparently feeling the amendment was as good as one could hope for, opposed recommitment as well as passage. The remaining were Abbitt, not voting, and most moderate of the Southerners, Evins, liking everything – amendment, recommitment, and passage. Glenn Davis voted the Republican line – for the amendment, against recommitment, and for passage.

While the EEOC was about employment and employers, the more populist equal rights issue was busing to promote school integration. On April 19, 1971, the Supreme Court gave a unanimous imprimatur to such busing. The following January, a Federal judge ordered busing between the Richmond, Virginia, school district and the suburban school districts, which were the recipients of white flight from the City to

³⁵ *CQWR*, March 26, 1971, 716; May 14, 1971, 1066-8. "Congress Ends U.S. Funding of Supersonic Aircraft," *CQ Almanac 1971*, on-line.

³⁶ "Equal Employment Opportunity: No Final Action," *CQ Almanac 1971*, on-line.

escape integration. An even more extensive order from a Federal judge in July was directed to the schools of Detroit, Michigan, and 53 suburban districts. To anxious white parents not only in the South but in the North there seemed no recourse from integration within public schools or from long bus rides. Candidate Nixon's political stance had been to oppose school segregation as well as federally mandated integration, and his Administration followed that directive. On August 3, 1971, the President issued a statement opposing busing "in school desegregation cases." On March 16, 1972, in a televised address he called for a moratorium on court-order busing for desegregation. If anyone who opposed busing for integration also opposed busing for segregation, it was rarely recorded.³⁷

Two Administration bills focused on busing were introduced by McCulloch and Ford. HR 13915 attempted to define busing beyond the second closest school to a student as outside of constitutional protection, and HR 13916 sought to establish a moratorium on court-ordered busing. HR 13915 passed the House but was killed by filibuster in the Senate. The House Judiciary Committee did not report HR 13916. If one finds it curious that the primary advocate among House Republicans for equal rights would support restrictions on busing to achieve desegregation, it is clear that McCulloch's sponsorship was only a favor to the Administration. He did not support the bills either in their opposition to integration nor their assumption that constitutional rights could be legislated. "Busing is an inconvenience, but it is an utterly necessary inconvenience," McCulloch said on the floor. Even more pointedly, in hearings before the Judiciary subcommittee on HR 13916, he said, "It is with the deepest regret that I sit here today to listen to a spokesman for a Republican administration asking the Congress to prostitute the courts by obligating them to suspend the equal protection clause for a time so that Congress may debate the merits of further slowing down and perhaps even rolling back desegregation in public schools."³⁸

Alphonzo Bell (R CA) and Augustus Hawkins (D CA) introduced HR 2266 to provide funds for desegregating school districts and attempted to obtain passage in the House by suspending the rules so that anti-busing amendments could not be attached. They failed.

HR 7248, introduced by Edith Green (D OR), intended to provide substantial funds for higher education and more limited funds for schools facing costs from eliminating segregation. Its provisions as amended to delay busing and to prohibit the use of federal funds for busing were substituted for S 659. The Senate moderated the anti-busing language slightly, which the House rejected in instructing its conferees to insist on the House language, but eventually the Senate prevailed. The bill was enacted. Dorn of South Carolina was notably distinct from his Southern colleagues in debate in actively opposing the amendment to deny funding for busing. He argued that busing was needed in his District for the schools to operate properly.³⁹

Congressional Quarterly and Americans for Democratic Action identified six votes that were considered "key" on busing issues among these bills.

1. HR 2266 November 1, 1971. Passage under suspension of the rules to avoid anti-busing amendments. Failed 135-222. Republicans 42-116. Northern Democrats 98-34. Border Democrats 7-17. Southern Democrats 8-66. Nay would be an anti-busing vote.

³⁷ *Swann v. Charlotte-Mecklenburg Board of Education*. Richard Reeves (2002), 116, 119-20. "Presidential Statement: Nixon on Busing of Schoolchildren," *CQ Almanac 1971*, on-line. The Richmond and Detroit rulings were soon overruled or stayed. "Congressional Anti-Busing Sentiment Mounts in 1972," *CQ Almanac 1972*, on-line.

³⁸ "Congressional Anti-Busing Sentiment Mounts in 1972," *CQ Almanac 1972*, on-line. *Congressional Record*, June 8, 1972, 20304. *CQWR*, April 22, 1972, 899. Also see *Congressional Record*, May 23, 1972, extension of remarks, 18576.

³⁹ "1972 Education Act: \$21-Billion in Aid, Busing Curbs," *CQ Almanac 1972*, on-line. *CQWR*, July 29, 1972, 1885.

2. HR 7248 November 4, 1971. William Broomfield (R MI) amendment to effect a moratorium on court-ordered busing. Approved 235-125. Republicans 129-17. Northern Democrats 45-84. Border Democrats 17-7. Southern Democrats 44-17. Aye would be an anti-busing vote.
3. HR 7248 November 4, 1971. John Ashbrook (R OH) amendment to deny federal funds for busing. Approved 234-124. Republicans 125-20. Northern Democrats 38-89. Border Democrats 18-7. Southern Democrats 53-8. Aye would be an anti-busing vote.
4. S 659 March 8, 1972. Earl Ruth (R NC) motion to instruct House conferees to insist on anti-busing amendments. Approved 272-140. Republicans 143-30. Northern Democrats 45-99. Border Democrats 20-8. Southern Democrats 69-7. Aye would be an anti-busing vote.
5. HR 13915 August 17, 1972. Edith Green (D OR) amendment to reopen past court desegregation orders to make them consistent with anti-busing language in the bill. Approved 245-141. Republicans 131-30. Northern Democrats 33-99. Border Democrats 16-10. Southern Democrats 66-2. Aye would be an anti-busing vote.
6. HR 13915 August 18, 1972. Louis Stokes (D OH) amendment to state that nothing in the bill "is intended to be inconsistent with or violative of any provision of the Constitution." To the extent that the bill declared busing not to be required by the Constitution, this provision would nullify it. Failed 178-197. Republicans 55-99. Northern Democrats 98-31. Border Democrats 15-11. Southern Democrats 10-57. Nay would be an anti-busing vote.

Members of the Class of '46 who cast no anti-busing votes were Donohue, Blatnik, Albert, and Dorn. Not only did Dorn speak for funding of busing, but voted for HR 2266 under suspension of the rules and against the moratorium of busing.⁴⁰

Class members who did not waver from their opposition to busing were Jones, Passman, Evins, Teague, Burleson, and Abbitt, all Southerners, as well as Garmatz.⁴¹

The two Republicans in the Class divided their stances on the busing issue. Glenn Davis voted for the two amendments on HR 7248 and to instruct the conferees on those amendments, but supported passage of HR 2266 under suspension of the rules. McCulloch opposed HR 2266 under suspension of the rules, opposed instructing the conferees, opposed re-opening old desegregation rulings, and supported Stokes' nullification of his own bill's statement on the Constitution. Davis did not vote on the HR 13915 amendments. McCullough did not vote on the two amendments to HR 7248. Davis was three for four anti-busing, and McCullough was one for four.

Evins and Passman, continuing their chairships of Appropriations subcommittees, each brought two funding bills to the House again. Evins' bills (HR 10090 and HR 15586) for water and power development were enacted without too much drama, Passman's for foreign aid not so much so. HR 12067 for fiscal 1972 went through tardily, substantially cutting the Administration's request of course, but HR 16705 for fiscal 1973 ran into an impasse between the two houses over military aid. The Senate passed the bill without the \$1.93 billion in military aid, saying it was not yet authorized. A resolution was enacted continuing funding at current levels until the 93rd Congress could address the issue. Passman had, for him, a noteworthy turn in joining with Albert in October 1971 to endorse continued American support for the

⁴⁰ Blatnik did not vote on item 5. Dorn did not vote on items 5 and 6. Albert voted only on items 2 and 3.

⁴¹ Passman and Garmatz did not vote on items 5 and 6. Teague did not vote on items 2 and 3. Burleson paired on item 1.

United Nations, when the body voted to expel the Republic of China in preference to the People's Republic of China. The next May, however, Passman joined his fellow Southern Democrats, as well as Republican Davis in opposing the restoration of funds for the United Nations that the Appropriations subcommittee cut from the fiscal 1973 bill (HR 14989). The enacted bill would delay the cuts until 1974. Blatnik supported restoration of funds. Donohue, Evins, Garmatz, and McCulloch did not vote on the issue.⁴²

The war in Vietnam continued, but the continuing withdrawal of American troops by the Nixon Administration loosened the fears of representatives in opposing its continuation. Democrats, or more accurately the Northern variety, turned against the war as it was now pursued by a Republican Administration, which Republicans were compelled to support. The Nation was reaching the point where it became a question of not if but when the last American would die in what was increasingly looking like not only a lost cause but a wrong cause, maybe morally but certainly pragmatically. By January 25, 1972, the President was publicly offering to withdraw all troops within six months and sacrifice South Vietnamese President Nguyen Van Thieu if North Vietnam would exchange prisoners of war. Albert remained, with all of his future pleas of ignorance, firmly committed to opposing any congressional dictation of timetables for withdrawal. In contrast, Senate Majority Leader Mike Mansfield (D MT) offered a series of amendments specifying dates certain for withdrawal of American troops, dependent on the release of American prisoners of war. The President warned Albert that if a Mansfield amendment passed the House, as was happening in the Senate, he would withdraw from the peace talks with North Vietnam and blame Congress.⁴³

The war was clearly coming to an end, but when? Protests increased, including a major one on August 24, 1971, that closed down the Capitol – peacefully, and another more active one on May 9, 1972, causing the Speaker to close the galleries the following day. Draft evasion, if anything, was increasing. About 570,000 men would be classified as draft offenders during the war and 209,517 prosecuted at some level. Garmatz and Dorn were vocal in their opposition to any amnesty for evaders. A decidedly non-pacific action was the explosion of a bomb in a Capitol restroom on March 1, 1971, as a protest to incursions by South Vietnamese and South Korean ground troops into Laos. In January 1971 Anthony Scoblick and five others were indicted in an alleged plot to kidnap National Security Adviser Henry Kissinger and blow up heating systems in federal buildings. Scoblick, a former Josephite priest, was the youngest child of James Scoblick, a member of the Class of '46, a Republican who served one term from Pennsylvania. The jury hung on the charges, including that of vandalizing draft boards, and they were not retried on them.⁴⁴

The House weighed in on Vietnam in eight key votes during the 92nd Congress:

1. HR 6531 March 31, 1971. Amend Military Selective Service Act. Substitute motion to extend military conscription for one year rather than two. Proponents framed the question as desiring to force a consideration of the war. Failed 198-200. Republicans 65-105. Northern Democrats 109-24. Southern Democrats 14-54. Peace vote is aye.

⁴² "Foreign Aid: \$2.6-Billion Approved for Fiscal 1972," "73 Foreign Aid Funds: Impasse Over Military Assistance," and "SACB Funds Cut in State-Justice-Commerce Bill," *CQ Almanac* 1972, on-line. *CQWR*, October 30, 1971, 2217.

⁴³ Richard Reeves (2002), 336, 427. Albert with Goble, 338-9. "Major Senate and House Votes During 1971 session," *CQ Almanac* 1971, on-line.

⁴⁴ *CQWR*, April 30, 1971, 959-62; May 13, 1972, 1117; October 14, 1972, 2663. Cortright, 164-5. *The Daily Times* (Salisbury), February 7, 1972. Remini, 430. Richard Reeves (2002), 303-4. *The Boston Globe*, January 13, 1971. *Wilkes-Barre Times-Leader, the Evening News*, April 6, 1972. *The Philadelphia Inquirer*, December 31, 1972. One of the group, Philip Berrigan, was however convicted of smuggling letters in and out of jail.

2. HR 8687 June 17, 1971. Authorize Military Procurement. Amendment to prohibit expenditure of funds to support American forces in Indochina after January 1, 1972. Failed 158-254. Republicans 23-149. Northern Democrats 107-29. Southern Democrats 15-60. Peace vote is aye.
3. HR 6531 June 28, 1971. Motion to table the motion instructing conferees to accept the Mansfield amendment. Accepted 219-176. Republicans 143-33. Northern Democrats 20-124. Southern Democrats 60-18. Peace vote is nay.
4. HRes 492 July 7, 1971. Direct a Report on American Operations in Laos. Motion to table. Accepted 261-118. Republicans 149-17. Northern Democrats 37-89. Southern Democrats 57-5. Peace vote is nay.
5. HR 8687 October 19, 1971. Motion to call the previous question and prevent conferees from accepting the Mansfield amendment. Accepted 215-193. Republicans 140-34. Northern Democrats 16-128. Southern Democrats 55-20. Peace vote is nay.
6. HR 11731 November 17, 1971. Department of Defense Appropriations. Amendment to prohibit military expenditures in Indochina after June 1, 1972. Failed 163-238. Republicans 24-144. Northern Democrats 113-27. Southern Democrats 14-56. Peace vote is aye.
7. S 2819 December 16, 1971. Foreign Aid Authorization. Motion to table the motion to instruct conferees to accept the Mansfield amendment. Accepted 130-101. Republicans 77-12. Northern Democrats 16-65. Southern Democrats 31-13. Peace vote is nay.
8. HR 16029 August 10, 1972. Amend Foreign Assistance Act. Amendment to remove requirement to end American involvement in the war. Accepted 229-177. Republicans 149-24. Northern Democrats 17-120. Southern Democrats 51-16. Peace vote is nay.

Among the Class of '46, Blatnik and Donohue voted for peace, while Davis, Albert, and the Southerners, with the exception of Evins, voted for war. Evins, McCulloch, and Garmatz divided their votes; Evins 5-2 for war, McCulloch 2-1 for war, and Garmatz 4-3 for peace.⁴⁵

Carl Albert ended his first congress as Speaker alienated from the Northern wing of his Party on Vietnam and the Southern wing on race. In sync with the majority of Democrats on most other issues, he and his leadership were often unable to deliver, primarily due to Southern intransigence but also through occasional failure to manage the House appropriately. Whereas Sam Rayburn led the House and Democrats by seeking a consensus, such an accommodation between the Northern and Southern wings of the Party was less possible in large part because the Speaker had lost the ability to soft-pedal racial issues. Whereas John McCormack tried to lead the House and Democrats through personal intransigence, Albert's more accommodating personality was taken advantage of by various actors, both committee chairs and issue partisans. Albert's hope that a reborn Democratic Caucus could reach policy consensus and operate to some degree to enforce it was sidetracked by issue hardliners that rendered the Caucus unattended and moot. Teague's chairship of the Caucus was deemed "tense and difficult," even if it did not harm his reputation.⁴⁶ Finally, the President was a formidable opponent, empowered with a pragmatism that sought the most successful rather than the most dogmatic outcome. Supported by

⁴⁵ Non-votes: Jones, Dorn, and Evins on item 7, Passman on item 8, Garmatz on item 1, Donohue on items 2, 4, and 7, Blatnik on items 4, 6, and 8. McCulloch on items 1-4 and 8. Albert on items 3-5 and 7. Abbitt on item 6. Glenn Davis on item 2. Donohue paired on item 3. Dorn and Teague paired on item 5.

⁴⁶ *CQWR*, August 6, 1971, 1639-42. Nelson, 756. Albert with Goble, 339. Smith and Burka, 112.

Republicans in the House despite his issue apostasies and willing to wield the veto, Nixon dominated the 92nd Congress.

Over Albert's performance hung the question of whether he had indeed conquered his bout with the bottle. His tendency to show up at social functions with "his lovely Eurasian assistant on his arm," as muckraker Jack Anderson put it, did not inspire confidence on that matter.⁴⁷

Most members of the House were a relatively forgotten bunch until the publication of *The Almanac of American Politics* in 1972.⁴⁸ By then only 13 of the 109 members of the Class of '46 remained in the House and were subject to profiles in the volume. The personalities of members of the Class are sometimes obscure, and the increased attention by *The Almanac* led to more published attention to the representatives.

Watkins Abbitt (D VA) was described in 1972 as "a vigorous 66" with "hair discouragingly dark." "[W]hat he likes most is keeping after his home country deer so they won't die of old age" and he "keeps an arsenal of shotguns...." "There still is a sharpness of mind, of political acumen...." Mrs. Abbitt tries to keep him at 180 pounds. His "biggest accomplishment in Congress? Looking after his tobacco and peanut-growing constituents ..., he says." *The Almanac* in 1972 described him as a product of the rural and white supremacist Deep South, when a few men in courthouse towns held sway.⁴⁹

The Almanac portrayed Albert as "a thoroughgoing liberal on domestic issues," who "has supported the foreign and military policies of the Johnson and Nixon Administrations." Mary, his "tiny and dark haired" wife, reported that Carl liked to accompany her shopping "to pick out the meat to fill the freezer." She said "he can't even boil water. I finally taught him to plug in the coffee pot – after I've filled it ahead of time." "Mary Albert says she fell into the practice of calling her husband 'Mr. A.' when she talked about him to members of his staff. Now it has become such a habit that she finds herself sometimes addressing him that way...." Albert failed to conquer his drinking problem, and in fall 1973 he was being treated for alcoholism. O'Neill would refer to it as "family problems."⁵⁰

Blatnik was "strongly pro-conservation" and with "a solid liberal record" but "a less outspoken opponent of the war than many of the younger members."⁵¹

Burleson was "one of the more conservative members of the Texas delegation."⁵²

"Davis' politics was – and is – a mixture of those of [Sen. Joseph] McCarthy and the young Richard Nixon – fierce anticommunism and general conservatism."⁵³

The Almanac said that Donohue was "an aging ... bachelor." "Generally liberal on domestic issues, he has supported the war policies of the Johnson and Nixon administrations." "The scuttlebutt is that Donohue will retire soon, in large part because of the retirement of his friend Speaker McCormack and

⁴⁷ *The Baytown (Texas) Sun*, March 16, 1972.

⁴⁸ Barone, Ujifusa, and Matthews (1972). The Ralph Nader Congress Project began publication in 1972 as well. Its less than comprehensive depictions of members of the House came from a specific viewpoint.

⁴⁹ *The Danville Register*, January 19, 1973. Barone, Ujifusa, and Matthews (1972), 843.

⁵⁰ Barone, Ujifusa, and Matthews (1972), 661. *The Daily Times-News* (Burlington), November 28, 1973. *The New York Times*, February 6, 2000. O'Neill with Novak, 253.

⁵¹ Barone, Ujifusa, and Matthews (1972), 411.

⁵² Barone, Ujifusa, and Matthews (1972), 810.

⁵³ Barone, Ujifusa, and Matthews (1972), 902.

the defeat of another friend, Philip J. Philbin of the 3rd, with whom he used to spend long afternoons dozing in front of the Speaker's podium."⁵⁴

"Dorn's generally conservative voting record, with a touch of populism on economic issues befitting his namesake, is popular with the voters of his district."⁵⁵

Evins "is a middle-of-the-road Democrat" with "a position of considerable influence in Congress." He has "power of the purse over all federal pork barrel projects," which "means that few congressmen care to cross him."⁵⁶

The Almanac found Edward Garmatz to be "an aging veteran of Baltimore politics" and as chair of Merchant Marine and Fisheries "important ... locally since Baltimore is one of the nation's major ports."⁵⁷

"At one time Jones was one of the leading TVA-oriented Southern liberals, though he was always, of course, a segregationist." "Since [Gov. George] Wallace's rise, Jones has seldom supported bills of Democratic administrations, but he does remain a member in good standing of the House establishment."⁵⁸

Ohio Republican William McCulloch's support for civil rights "was very important" to "other Midwestern conservatives." He "is highly regarded by his colleagues in the House...."⁵⁹

Passman is "a forthright conservative and stern critic of government spending." He "won great fame" as chair of the Foreign Operations Subcommittee as "a sturdy opponent of the foreign aid program...." "[M]uch of the credit (or blame) for the steady decline in foreign aid expenditures belongs to the Louisiana Democrat."⁶⁰

Noting Teague's chairship of Veterans' Affairs, *The Almanac* observed, "Most House members seem to think that he has done an equitable job of balancing the claims of veterans with the needs of the Treasury Department." He "is an enthusiastic supporter of the manned [space] flight program, which is currently in disfavor."⁶¹

By the standards of forty years hence, the members of the Class of '46 were not particularly old. Their ages at the start of the 92nd Congress, ranged from 54 to 70, but Albert, Blatnik, and McCulloch were not the only members with significant health issues. Donohue was hospitalized in June 1971, the month he turned 70 with "a serious heart problem" and did not cast a recorded vote on the floor from June 14 to August 5. Evins reportedly suffered a heart attack early in 1972 at age 61. He had a number of extended absences from recorded floor voting: November 19 to February 3, May 17 to June 1, June 29 to July 31, August 18 to September 14.⁶²

Former representatives who were members of the Class had mixed electoral success during the 92nd Congress. Richard Nixon reached the zenith with his 23-point victory over Democratic Sen. George McGovern for reelection to the presidency in November 1972. McGovern's emphatic defeat and his emphasis on ending the war in Vietnam casts doubt on the extent to which the electorate had tired of the

⁵⁴ Barone, Ujifusa, and Matthews (1972), 345-6.

⁵⁵ Barone, Ujifusa, and Matthews (1972), 741.

⁵⁶ Barone, Ujifusa, and Matthews (1972), 765.

⁵⁷ Barone, Ujifusa, and Matthews (1972), 327.

⁵⁸ Barone, Ujifusa, and Matthews (1972), 16.

⁵⁹ Barone, Ujifusa, and Matthews (1972), 620.

⁶⁰ Barone, Ujifusa, and Matthews (1972), 307.

⁶¹ Barone, Ujifusa, and Matthews (1972), 791.

⁶² *CQWR*, June 1, 1974, 1432. *Tennessean*, August 4, 1972.

war, or perhaps was evidence of the extent to which Nixon's steady withdrawal of troops was accomplishing the same thing. The serious injury to George Wallace by a would-be assassin in May 1972 removed a competitor for the white-supremacist as well as militarist votes of the South, the entire region swinging to Nixon. As for the country as a whole, presidential-election journalist Theodore White opined that what made Nixon's reelection such a landslide was that McGovern was not trustworthy or credible as a leader.⁶³

So be it for electoral winners in the out-Class. Caleb Boggs, who moved from the House to the governorship of Delaware in 1953 and then to the US Senate in 1961, failed on his second reelection attempt in 1972. Though only 63, Boggs did not want to return to the Senate but was pressured by Republican leaders to continue to use his popularity in the State to help the ticket. He did not run again, he strolled, and he lost by one point to a 30-year-old lawyer and County Councilman named Joe Biden. Nixon ran ten points ahead of Boggs in Delaware.⁶⁴

Don Wheeler, who lost three Democratic primaries for the House from his ouster in 1954, made a run at the US Senate in 1972. Richard Russell, who had represented Georgia since 1933, died on January 21, 1971, opening the seat. The Governor appointed David Gambrell, the Chair of the State Democratic Party, to the vacancy, and Wheeler challenged him for both the interim and the regular primaries. So did thirteen and seven other candidates, respectively. Wheeler took one percent of the vote in each of the primaries. Gambrell did not win either, losing the nomination to Sam Nunn, who went on to serve in the Senate until 1997.⁶⁵

John Bell Williams, who resigned from the House in 1968 to be Governor of Mississippi, served his term-limited four years and returned to a law practice in Jackson in January 1972. Melvin Snyder (R WV) served one term in the House and had been an elected circuit judge since 1953. He retired in October 1971 and died the following August 5 in his hometown of Kingwood at the age of 73. Wife Mabel Price Snyder survived.⁶⁶

Retirement was the theme for members of the out-Class in appointive positions. Wheeler resigned his position as the assistant director of the highway safety program of Williams's Administration to make his run at the Senate. Glen Johnson, who served one term as a Democrat in the House, left his job as an attorney in the Muskogee, Oklahoma, office of the Department of the Interior. Donald Jackson of California resigned early as a member of the Interstate Commerce Commission to which he was appointed by Nixon in 1969. Kenneth Keating of New York resigned as Ambassador to India to work for Nixon's reelection.⁶⁷

In more personal matters, George Smathers (D FL) who moved from the House to the Senate in 1951 and retired from the latter body in 1969 to establish a remunerative lobbying practice, was divorced by Rosemary Townley Smathers, his wife of 32 years, in 1971. They had been separated for three years. She never much appreciated life in Washington, and George was long known as a ladies' man. They were both 58.⁶⁸

⁶³ White (1973). See in particular a memo to McGovern by a staffer quoted by White on page 228.

⁶⁴ Hildenbrand interview, 96.

⁶⁵ *Georgia Register* 1973.

⁶⁶ Mabel Price Snyder stone, Maplewood Cemetery, Kingwood, West Virginia.

⁶⁷ *The Atlanta Constitution*, June 4, 1971. *Times Record*, July 6, 1972.

⁶⁸ *Kingsport News*, June 21, 1957. Drew Pearson, October 30, 1962. Smathers interview (August 1, 1989), 20. Mudd, 95. *The Atlanta Journal-Constitution*, September 29, 2002.

Timothy Goff, the older child of Abe Goff, who served one term in the House as a Republican from Idaho, died on July 2, 1972, at the age of 40. He is buried in Maryland.⁶⁹

In addition to Snyder, three other members of the Class of '46 died during the 92nd Congress.

Georgia Lusk passed away in Albuquerque on January 5, 1971, at 77. After one term in the House, she served on the War Claims Commission, then once again became the New Mexico Superintendent of Education, serving a total of twelve years in that elective position. The Democrat ended her public service in the New Mexico Civil Defense Office in 1960. Widowed since 1919, she was preceded in death by two of her three sons, one in the Second World War and one by suicide. Her middle son, Morgan, followed her to the grave in less than ten months at the age of 53 of a heart attack.⁷⁰

Frederic Coudert died on May 21, 1972, of congestive heart failure in Manhattan at the age of 74. The Republican retired from his House service in 1959, serving then on the State Commission on Governmental Operations of the City of New York and was later active in the campaign of William F. Buckley Jr. for mayor against the Republican nominee. His second wife, Paula Murray Coudert, and the two children from that marriage survived.⁷¹

Charles Kersten died on October 31, 1972, in Milwaukee. He served in the House 1947-1949 and 1951-1955. After a brief appointment in the Eisenhower White House, he had resumed his law practice in Milwaukee. He died of an aortic aneurism at the age of 70 and was survived by his wife Mary McKinnon Kersten and five children. He was the 33rd member of the Class of '46 to die.⁷²

⁶⁹ Timothy R. Goff stone, Trinity Memorial Gardens, Waldorf, Maryland.

⁷⁰ *Las Vegas Daily Optic*, May 5, 1960. *The Amarillo Globe-Times*, October 27, 1971.

⁷¹ Coudert, Jones, and Klepp, 112. There was a daughter from his first marriage. The author has not been able to determine whether she survived. *The Brooklyn Daily Eagle*, October 24, 1931.

⁷² *The Post-Crescent* (Appleton-Neenah-Menasha, Wisconsin), November 2, 1972.