

We beg this blessing of Thy providential love through Christ, our Lord. Amen.

#### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on February 11, 1964, the President had approved and signed the act (S. 2265) to amend the Library Services Act in order to increase the amount of assistance under such act and to extend such assistance to nonrural areas.

#### REPORT UNDER COMMUNICATIONS SATELLITE ACT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 225)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

##### *To the Congress of the United States:*

Section 201(a) of the Communications Satellite Act of 1962 directs the President of the United States to "aid in the planning and development and foster the execution of a national program for the establishment and operation as expeditiously as possible of a commercial communications satellite system."

The year 1963 has been a period of major accomplishment toward the objectives established by the Congress in the Communications Satellite Act. The Communications Satellite Corp. has been organized, established, has employed a competent staff, and is implementing plans for a commercial communications satellite system. All agencies of government concerned have contributed wholeheartedly to the furtherance of the objectives of the act.

As required by section 404(a) of that act I herewith transmit to the Congress a report on the activities and accomplishments under the national program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, February 10, 1964.

#### REPORT OF SURGEON GENERAL OF PUBLIC HEALTH SERVICE ON HEALTH RESEARCH FACILITIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 230)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

##### *To the Congress of the United States:*

Under the provisions of title VII of the Public Health Service Act, as amended, I am sending to the Congress the Eighth Annual Report of the Surgeon General of the Public Health Service summarizing the activities of the health research facilities program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, February 17, 1964.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 7356) to amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies.

The message also announced that the House had passed a bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes, in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 298) to amend the Small Business Investment Act of 1958, and it was signed by the Acting President pro tempore.

#### CIVIL RIGHTS ACT OF 1964

Mr. MANSFIELD. Mr. President, I request that House bill 7152 be read the first time.

The ACTING PRESIDENT pro tempore. The bill will be read the first time.

The legislative clerk read the bill (H.R. 7152) the first time by title, as follows:

An act (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. MANSFIELD. Mr. President, I object to the second reading of the bill today.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Montana will state it.

Mr. MANSFIELD. Do I correctly understand that the second reading of the bill will not take place until an adjournment has occurred and another legislative day has happened?

The ACTING PRESIDENT pro tempore. The Senator from Montana is correct; that is the case, under the rule.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for the purpose of making two statements.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and the Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, the civil rights bill has now arrived from the House. In the near future, the leadership will propose to the Senate that this measure be placed on the calendar, without referral to committee, and that, subsequently, the Senate as a body proceed to its consideration.

The procedures which the leadership will follow are not usual, but neither are they unprecedented. And the reasons for unusual procedures are too well known to require elaboration.

The substance of the bill has been discussed and debated, not for a week or a month, but for years. President Johnson has prescribed for civil rights legislation an urgency second to none. Three committees of the Senate have inquired extensively into its features, during the current Congress. Two have completed work on Senate bills which dovetail with principal segments of the House legislation. Whatever any Senator may lack in understanding of the substance of the bill will, I am sure, be made up in extensive discussion on the floor of the Senate. In one respect, at least, it would appear to me that this approach is to be preferred in connection with a bill of such wide ramifications, for, in fact, the substance of the civil rights legislation falls within almost equal validity within the purview of several committees.

This consideration, together with the procedure which will be followed in bringing the bill directly from the House to the Senate as a whole, has prompted the creation of a special arrangement for the steering of the legislation on the floor of the Senate. It is my intention to have the majority whip, the able Senator from Minnesota [Mr. HUMPHREY], together with the distinguished Senator from Washington [Mr. MAGNUSON], the Senator from Pennsylvania [Mr. CLARK], and the distinguished Senator from Michigan [Mr. HART], assume direct responsibility for the handling of this legislation on the floor. They will be ready to state the case for this bill and to answer the questions to which it may give rise.

Since the 1948 Democratic Convention, the Senator from Minnesota has been one of the Nation's leading advocates of Federal action in the field of civil rights; and his knowledge of this highly complex issue is as broad and deep as that of any other leader in public life today. And each of the other Senators who will work with him in this connection—the Senator from Washington

[Mr. MAGNUSON], on public accommodations; the Senator from Pennsylvania [Mr. CLARK], on fair employment practices; and the Senator from Michigan [Mr. HART], on judicial matters—is highly knowledgeable in regard to one or more aspects of this measure.

The civil rights bill, Mr. President, is in good hands, in the hands of this quadrumvirate. I have every confidence that before the debate has run its course, they will have clarified any reasonable doubts or uncertainties which any Member may have with respect to this measure. A committee or a committee chairman could do no more. They will do no less.

Mr. President, speaking for myself, let me say at the outset that I should have preferred it had the civil rights issue been resolved before my time as a Senator or had it not come to the floor until afterward. The Senator from Montana has no lust for conflict in connection with this matter; yet this question is one which invites conflict, for it divides deeply. It is approached not only with reason, but also with passion, by Members on both sides of the issue and on both sides of the aisle; and since the Senator from Montana holds the Members of this body on both sides of the issue and on both sides of the aisle in affection and respect, he is frank to state that he would have preferred it had the civil rights issue been resolved before his time or had it not arisen until later.

But, Mr. President, great public issues are not subject to our personal timetables; they do not accommodate themselves to our individual preference or convenience. They emerge in their own way and in their own time. We do not compel them; they compel us.

We look in vain if we look backward to past achievements which might spare this Senate the necessity of reaching difficult decisions on the civil rights question. We hope in vain if we hope that this issue can be put over safely to another tomorrow, to be dealt with by another generation of Senators.

The time is now. The crossroads is here in the Senate.

To be sure, the issue will not be fully resolved by what we do today. Its resolution depends also on what is done tomorrow and on many tomorrows. Nor will the issue be fully resolved by the Senate or the Congress. Indeed, it will involve all Americans and all the institutions—public and private—which hold us as a society of diversity in one nation and it will involve all for a long time to come. In truth, it is a universal issue which, for this Nation, having begun with the Declaration of Independence and persisted through the decades will hardly dissolve in the Senate of the 88th Congress.

Nevertheless, at this moment in the Nation's history it is the Senate's time and turn.

Individually, each Senator will consult his conscience and his constituency on this issue as on any other. It is for each Senator to determine whether he is prepared to ignore, to evade, or to deny this issue or some aspect of it. The Senator from Montana will do the same.

But insofar as the majority leader is concerned he must state to the Senate that it would be a tragic error if this body as a whole were to elect the closed-eyes course of inaction. That course, Mr. President, would disclose a cavalier disinterest or a legislative impotence on this issue and either would be completely inconsonant with the serious domestic situation which now confronts us.

It is bad enough to evade decision on any major proposal of any President. It is inexcusable in this issue which has drawn a curtain of uncertainty and insecurity over the entire Nation and over which blood has already run in the streets.

In these circumstances, I cannot believe that this Senate will abdicate its constitutional responsibilities. The Constitution, Mr. President, charges the Congress and the Senate as a part of it—no less than the President and the courts—with the achievement of its fundamental objectives. It is our duty no less than the duty of others to share in the perfection of the unity and the maintenance of the tranquillity of all the people of the United States. It is our duty no less than the duty of others to share in securing the equity of the rights and in advancing the welfare of all the people of the United States.

At this critical moment, the majority leader, for one, is not prepared to say to the President and to the courts: "Resolve this present manifestation of the divisive issue of civil rights as best you can. We wish you well or we wish you ill. But most of all, in the Senate, we wish no part in the process."

If the Senate were to choose such a course at this time, Mr. President—the course of evasion and denial—we would leave this body a less significant and less respected factor in the Government of the United States than it was when we entered it.

I implore the Senate, therefore, to consider deeply the consequences of such a course, not only to the Nation but also to the reputation of the Senate, as one of the great institutions upon which the Nation rests. And may I say, Mr. President, that when we have considered deeply, I do not believe that this Senate will choose the course of evasion and denial.

In so stating, Mr. President, let me make clear that I am not prejudging what the Senate ought to do or what it will do in the days, the weeks, and in the months ahead. I daresay that there are almost as many views of what ought to be done with respect to civil rights as there are Senators. That is a condition not to be deplored. Certainly, the majority leader does not deplore it. A diversity of viewpoint on significant issues is a hallmark of the Senate and of its continuing institutional validity and vitality in a dynamic nation.

In this profound issue of civil rights, we have before us the President's views and the views of the Department of Justice on civil rights. We have views from individual Members of the Senate in the form of bills introduced. We have views from Cabinet members and other per-

sonnel of the executive branch. We have an immense documentation of public and private views which has accumulated over the years. We have, finally, the bill which the House of Representatives has brought to the highest point of perfection of which it is capable. The majority leader hopes that this measure substantially as is will prevail. But whether or not such will be the case rests with the Senate as a whole to decide.

The majority leader will do whatever he can to facilitate the process of decision in order that the Senate may reach a point of final judgment as promptly as possible. But I am compelled to remind the Senate again, as I did in the Telstar debate last year, that the Senate rules provide the majority leader with no special or unique powers. He has the same rights as any other Member of the Senate, no more, no less. He may propose. He may debate. He may cast one vote. Every other Member of this body may do the same. And even as rights are equal in this body, so too are the responsibilities. The majority leader will propose in procedural matters but it will rest with the Senate to dispose. And I say in all bluntness if we are to reach a point of decision in this matter, in the last analysis, it will be not because of what the majority leader alone does or the majority leader and the minority leader jointly do or fail to do. It will be because the whole membership is prepared to look at the world and at the Nation as it is, not as we may wish for it to be. It will be because the Members of this body are ready to face this decisive moment in the Nation's history and the Senate's history. It will be because the Members of this Senate, all the Members, on both sides of the aisle, are prepared to assume full responsibility, along with their rights in the Senate, full responsibility for writing an honorable chapter in both histories, irrespective of what their views may be on this particular issue. We will not write that chapter, Mr. President, if we dawdle, if we evade. And we cannot write that chapter on the basis of the Senate rules. We can write it only by facing the substance of the issue itself, by debating it and by voting on it.

The majority leader has no suave parliamentary tactics by which to bring legislation to a vote. He is no expert on the rules and he is fully aware that there are many tactics which can forestall a vote. That such is the case was evident in the Telstar debate in 1962, when the brilliant parliamentary tacticians in opposition to the measure tied up the Senate for weeks. A vote on the measure came not because of the parliamentary skill of the majority leader but because Senators—two-thirds of this body—were prepared to put aside their reluctances to end discussion, their understandable reluctance to apply the cloture rule of the Senate. It was no trick, Mr. President; it was no suave tactic. It was a preponderance of the Senate rising to its responsibilities irrespective of their feelings about the particular issue involved.

Even if there were parliamentary tricks or tactics, Mr. President, the majority

leader would not be inclined to employ them. I can think of nothing better designed to bring this institution into public disrepute and derision than a test of this profound and tragic issue by an exercise in parliamentary pyrotechnics. For the truth is that we will not find in the Senate rules book even the semblance of an answer to the burning questions which now confront the Nation and, hence, this Senate.

We, Mr. President, Senators would be well advised to search, not in the Senate rules book, but in the Golden Rule for the semblance of an adequate answer to this issue.

Or let them search, if they will, in the long and tortuous history of human liberty. Let them search in the Constitution and in the documents of freedom which we have enshrined.

Let them search among the fears and the hopes of a whole people—all the American people. And let them search in the dark chasms of ignorance and arrogance which divide, and among the slender bridges of understanding and humility which unite.

Even then, Mr. President, even then the answers which we shall find will be tentative, uncertain, and inadequate. And we should delude neither ourselves nor the people of the Nation that they will be anything else. An issue of this magnitude carries the accumulated action and neglect, the accumulated achievements and failures, the accumulated commissions and omissions of generations of Americans. And it will take, for many years, the combined contribution of all the sources of reason and unity within the Nation to bring the issue to adequate resolution.

The Senate's role, then, Mr. President—this Senate's role—is neither everything nor nothing. It is the role of a leading participant, an essential and active participant in shaping the continuing process of equalizing opportunities, that all Americans may share fully in the promise of the Constitution.

We shall not fulfill that role, Mr. President, if we calculate its dimensions with the slide rule of political expediency. To act on this issue on the basis of the white or black vote, the North, the South, East, or West vote, is as illusory as it is cynical. There is no political profit for anyone in this issue. At least there is no political profit which can be realized except at the expense of the Nation's unity and welfare. If history teaches us anything, it teaches us that such profits are short lived even to those who reap them and that their heavy costs are paid, in the end, by the whole Nation.

Nor shall we fulfill the role in which we are cast at this moment in the Nation's time, if some Members choose the occasion to display an arrogance of moral righteousness. I would devoutly hope that no Senator will cast the first stone. I would devoutly hope that no Senator will assume for his State a superior enlightenment on this issue. There are stones enough to be thrown by all and targets enough for all the stones that can be thrown. There are inadequacies enough and to spare for all. There is moral perfection on this issue in none of

us and in no place—North, South, East, or West—in the land.

And, so, Mr. President, as we approach this issue, I appeal to the Senate to put aside the passions, the sectionalisms, and the inertia which may plague us. I appeal to the distinguished minority leader [Mr. DIRKSEN], whose patriotism has always taken precedence over his partisanship, to join with me—and I know he will—in finding the Senate's best possible contribution at this time, to the resolution of this grave national issue. I appeal to the Senator from Vermont [Mr. ARKEN] and the Senator from Iowa [Mr. HICKENLOOPER], whose many years of outstanding and exceptional service have given them a deep perception, not only of the needs of their States but of the needs of the Nation's progress. I appeal especially to the Senators from those States where this issue is not necessarily acute at the moment, to the Senators of many of the Western and Central States. I appeal to them to provide an active and objective participation, if not in terms of the future problems of their States, then on behalf of the Senate itself and on behalf of the Nation of which their States are an inseparable part. I appeal to the Senator from Illinois [Mr. DOUGLAS], to the distinguished Senator from the State of Lincoln, to lend us not only of his profound convictions on human freedom but of his warm and compassionate nature to help close the wounds of division. And I appeal to the Senator from Georgia [Mr. RUSSELL], not as the leader of any bloc, not as an outstanding legislative tactician, but as the great American and the great Senator which he is, and I beseech him to give us not only of his immense parliamentary capacity but even more of his legal wisdom and of his heart in order that this Senate will be remembered, not for what it did not do, but because of what it did for the Nation.

And, finally, Mr. President, I appeal to every Member of this body to bring to this issue, when it is before the Senate, all their resources of wisdom, courage, perseverance, and understanding, so that we may, with mutual restraint and in all humility, fashion a contribution to the freedom, order, and well-being of American life which is worthy of ourselves, of the Senate, and of the Nation.

Mr. DIRKSEN. Mr. President, I trust that the time will never come in my public career when the waters of partisanship will flow so swift and so deep as to obscure my estimate of the national interest. If and when that time comes, then perhaps I shall have lost whatever talent and justification I have for public service and should make an exit and make way for others to carry on the responsibility I presently hold.

Last week we observed the anniversary of a wise and prescient man who probably was confronted with the greatest crisis that ever confronted the country. He observed that the occasion is piled high with difficulties, and that we must rise with the occasion. As our cause is new, so we must think and act anew. We must first disenthral ourselves, and then we shall save the Union.

I have pondered those words of Lincoln for some time. In an hour of crisis, if this challenge can be called a crisis, I trust I can disenthral myself from all bias, from all prejudice, from all irrelevancies, from all immaterial matters, and see clearly and cleanly what the issue is, and then render an independent judgment.

When I reached my desk this morning, after a week in the hospital and another week of convalescence, I found a number of clippings, some of which indicated that my native State, my office, and any other place where I may hang my hat will probably be picketed by an organization known as CORE.

Mr. President, I have been picketed before. On one occasion last year, I was picketed at O'Hare Airport. My office was picketed by those who marched with banners, and when I reached the hotel where I was to deliver a dinner address, I was picketed on the other side of Michigan Avenue; while inside, in the lobby, the place was fairly packed with people, because I had agreed to see 10 civil rights leaders and give them 15 minutes and very freely make a statement and answer questions.

Never have I been reluctant or hesitant with regard to the right to petition and assemble of any person or a group of persons who have a grievance they believe should be redressed.

I am delighted to see them; but always I must clutch unto myself the responsibility as a U.S. Senator, which requires that I give to the people of the country, and to the State I represent, the greatest service I have to offer, and that is always to render an independent judgment.

If the day ever comes when, under pressure, or as a result of picketing or other devices, I shall be pushed from the rock where I must stand to render an independent judgment, my justification in public life will have come to an end.

So I assure the distinguished Senator from Montana [Mr. MANSFIELD], with whom it is such a pleasure to work, that I shall cooperate in every possible way, consonant always with the duty to render an independent judgment, and consonant with my constitutional duty not merely to one segment of our people, but to all the people of the United States.

Sometimes we set apart a group, a tenth of the population, and because of the noise and the demonstrations that take place, their interest moves out of perspective and out of focus. Sometimes we are likely to forget that there are millions of other people in the country who also have an interest in the whole question of civil rights and who wish to see those rights maintained.

I trust the time will never come when my perspective is so narrow or becomes so diminished in scope that I cannot see the problem which is now on the doorstep of the country in the larger perspective of all the people of the United States.

It is fortunate indeed, as the bill comes today from the House and takes its place for a moment on the desk, that by virtue of the wisdom of the Founding Father: we have a balanced government that has been responsible for our survival. In the

framing and structuring of the Constitution of the United States, we sometimes forget how wisely the framers really wrought. One needs only to look at the interesting balance in our Government to realize it. We are a part of a coordinated branch of government, invested with the exclusive lawmaking functions within the framework of government, and we divide that responsibility with the House of Representatives. Members of the House are selected on the basis of population. They serve a 2-year term. Under the Constitution, they are entrusted with the power to originate all revenue-producing bills and, by custom, all appropriation bills. That is a wise balance. The Constitution-makers knew that if, perchance, the authority to impose onerous and burdensome taxes upon the people should be unwisely used, with a 2-year term Representatives could be quickly turned out of office.

Senators are entrusted with a 6-year term. They are given the power to confirm the nominations of ambassadors and other appointees, and to advise and consent in the treaty-making process. But no legislation can reach the books unless it has the concurrence of both Houses in the coordinate branch of Government. When we have impressed our will upon a piece of legislation, it is engrossed, and finally on parchment it finds its way to the President of the United States, to sign or not to sign, as he sees fit. That still is a part of the balance. But if the President undertakes to veto a bill, it is still given to this branch of the Government, by a two-thirds vote, to override the veto. All this is a part of the astonishing balance in Government.

It might well be that Congress and the Executive could conjoin, in an unhappy moment, to place upon the statute books a law that was not in the national interest, but the Constitution has also provided for a judicial branch, with authority to strike down, as in contravention of the Constitution, that which the President and both branches of Congress may have so unwisely wrought.

So we have a balanced government; and today, from one branch in the coordinate part of the Government, comes a bill for further consideration. It can never reach the statute books unless it first has the approval of the Senate, and the differences are ironed out in the third body, known as the conference committee; it then goes to the White House for signature.

I have never seen the time in any crisis when the Senate has not sagaciously worked its will and risen to its responsibilities as a part of the deliberative branch of government. That has been true in every generation. To be sure, there have been times when it has failed. There may have been times when it has been frivolous, but always when, in the language of the day "the chips were down," the Congress—and particularly the Senate—has been equal to every challenge that has thus far confronted the country, and I apprehend that the situation will be no different on this occasion.

I expect to give this measure considerable attention. I expect ultimately to render an independent judgment. To do otherwise would be to betray the confidence of the people who sent me, first to the other end of the Capitol, and then to this end of the Capitol to serve them, within the limits of my talents and energy.

Therefore, I assure my distinguished friend the majority leader, the proposal will have considered attention; it will have earnest attention. One of the things which occupied a part of my time in the hospital was taking the bill as submitted and the bill as finally enacted by the House, and spelling out every word, every phrase, every line. Already, some amendments have occurred to me. I shall try to shape them. I shall try to put them in form. If I think they have merit, I shall offer them.

All the picketing that may be done in my home State, and all the picketing that may be done here with respect to the minority leader, I shall consider as nothing more than a form of unjustified duress, in order to obtain a judgment that is a departure from the convictions I hold.

When the day comes that picketing, distress, duress, and coercion can push me from the rock of conviction, that is the day, Mr. President, that I shall gather up my togs and walk out of here and say that my usefulness in the Senate has come to an end.

So I make an appeal to my fellow Senators to consider this issue in the light of the national interest. It is a phrase that came close to the late President Kennedy. It is a phrase that comes close to our former majority leader, who now occupies his exalted position.

I want to do what I think is in the interest of the present and future well-being of probably the only real, true free republic that still remains on God's footstool.

I shall cooperate. I shall do my best. When the time comes, when the deliberations are at an end, and all facets of the matter have been carefully considered and discussed, I shall be prepared to render judgment, and I shall have no apology to make to any man or any group anywhere, any time, for the course that I shall ultimately pursue.

I am grateful to my distinguished friend the majority leader, a man of grace and humility, who has wrestled with this problem, and who is confronted with it now by virtue of his exalted and dignified position in this body. I shall cooperate as best I can within the limitations of the convictions that I hold.

Mr. RUSSELL. Mr. President, I realize, in the excitement and pressures of the day, that if I were to say anything that might be construed as being complimentary to the Senator from Illinois, or any other Senator, it might do him much more harm than it could possibly do him good.

I regret that I was not able to hear the statement which was made by the majority leader, nor all of the statement made by the minority leader.

I am quite sure that as the day and hour approach for the spectacular pres-

entation of the misnamed and misbegotten legislation that is called the civil rights bill, I shall be arrayed against both of them. On many aspects of the matter, I am sure, I shall find my views to be contrary to theirs.

However I cannot refrain, even if it does harm to the Senator from Illinois, from expressing to him my great admiration for his political courage. He lives in a State where great courage is required to make the statement that he has made.

Many of the principal advocates of the so-called civil rights legislation come from States which may have among their population only four-tenths of 1 percent of the people whom the proposed legislation is supposed to benefit. It will not benefit them; and it can not benefit any American, of any race, creed, or color, to make the massive assault on our constitutional system that this bill proposes to make. Some of our friends from States which have 1 percent or 2 percent of that population have an opportunity to obtain a free or cheap political ride by being very vigorous in their advocacy of this legislation.

These supporters of the bill will not get the free ride from those who are supposed to be benefited directly by the legislation, for their numbers are not large enough in a great many States. Rather, they will derive it from the support of the so-called liberal blocs throughout the United States, and from many who have been misguided into supporting this legislation.

The Senator from Illinois displays high courage when he says that more than picketing will be required to make him surrender his convictions. Convictions often seem to be few and far between when we get into this particular area.

That is unfortunate, Mr. President. I have seen times when men of great substance—men who ornament the Senate—but who, when legislation of this character comes over from the other body, fail and refuse to study it in detail. They do not seek to analyze its affect on our constitutional system, particularly on the rights of private property under our free enterprise system. Instead, they walk into the Senate, figuratively, with the rule book in one hand and the Constitution in the other, but when someone says, "Here is a bill bearing the label 'civil rights,'" they proceed to throw the rule-book into the trash can and the Constitution out the window, and say, "Here am I, ready to vote for anything that is proposed under the title 'civil rights.'"

Therefore, the Senator from Illinois, who comes from a State that is very highly charged in this area, displays a high degree of courage in making the statement he has made.

As we proceed further in the debate, I shall probably be greatly irritated by my friend from Illinois for supporting many portions of the bill which to me are very bad.

However, it gives one hope for the future of the Republic to see a man who has convictions and the courage to sustain them even though it may endanger his seat in the Senate. With the profound hope that it will do him no harm,

I salute the Senator from Illinois as a man of the deepest convictions.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may be recognized, notwithstanding the fact that the rule of germaneness is now in effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from California is recognized, notwithstanding the fact that the rule of germaneness is now in effect.

Mr. KUCHEL. Mr. President, over the years it has been my privilege to sit in the Senate on the Republican side of the aisle, under the leadership of a great U.S. Senator from Illinois. Over those years, I have seen him demonstrate, on many occasions, complete courage.

Mr. President, when a small segment of his own party were denouncing the position taken by the Democratic administration with respect to a loan for the United Nations who proceeded as an American patriot to do his duty as he saw it, and thus was instrumental in securing support for that proposal, which otherwise would have been lacking? Mr. President, who was that distinguished Senator? It was the distinguished junior Senator from Illinois [Mr. DIRKSEN], the Republican leader in the Senate.

Mr. President, when the nuclear test ban treaty, as then proposed, was being denounced by some Members of both political parties, who was it who made up his own mind and was instrumental in securing that treaty—which incidentally was advocated in the Republican platform of 1960, adopted in his own city of Chicago—overwhelming passage? It was the distinguished junior Senator from Illinois [Mr. DIRKSEN], the Republican leader in the Senate.

So, Mr. President, I would be recreant to my own sense of duty if I did not rise now on this floor, as one who has always supported civil rights legislation, who believes in it, and who has joined in supporting, as a minimum, the House version of the bill which has just come to the Senate, to say that I think it is a tragedy that any group in this country would, by picketing or otherwise, try to push or prod, a great American, the Senator from Illinois, in regard to making up his mind on any basis other than the one basis on which he intends to make it up; namely, the rule of reason.

Today, civil rights legislation rests on the statute books of the United States, in great part because in 1957 and 1960 overwhelming majorities of Republicans, under the leadership of the junior Senator from Illinois [Mr. DIRKSEN] had a hand in writing it, I know, for I was here, and I listened to the junior Senator from Illinois, the Republican leader, on many occasions indicate that he favored most of the civil rights legislation in this field.

And now, as some changes have been made in some of the other sections, he intends to study them. The way to appeal to a U.S. Senator should not be by the picket line but by the rule of reason. Certainly that is the way one appeals to the Senator from Illinois.

So I simply do not wish to remain silent on this occasion. Instead, I rise to salute the distinguished junior Senator from Illinois [Mr. DIRKSEN], as one of his fellow Republicans and as one—I repeat—who intends to do his part to see that the Senate improves, if possible, but passes at a minimum the version of the bill which has come over to us from the House of Representatives.

Mr. COOPER. Mr. President, I, too, wish to address myself for several minutes to the statement made by the majority leader [Mr. MANSFIELD].

The ACTING PRESIDENT pro tempore. Notwithstanding the fact that the rule of germaneness is now in effect, the Senator from Kentucky may, without objection, proceed.

Mr. HRUSKA. Mr. President, I rise to a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska will state it.

Mr. HRUSKA. Is the rule of germaneness now in effect?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. DODD. Mr. President, let me ask how long the Senator from Kentucky wishes to speak.

Mr. COOPER. For not to exceed 2 or 3 minutes.

Mr. DODD. Very well.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Kentucky may proceed, notwithstanding the fact that the rule of germaneness is now in effect.

Mr. COOPER. Mr. President, as I had begun to state, I wish to refer briefly to the statement made today by the majority leader [Mr. MANSFIELD] respecting civil rights legislation, which may be laid before the Senate shortly.

The majority leader's statement, asking the Senate to give the fullest consideration to the proposed civil rights legislation which will soon be before the Senate, was a fine statement, noble in its concept and spirit. And I agree with the minority leader [Mr. DIRKSEN] and the minority whip [Mr. KUCHEL] that such consideration is not compatible with attempts at duress or coercion.

The statement of the majority leader implies that we ought to finally come to a decision and vote upon the bill which has come to the Senate from the House of Representatives. He is right, for the questions involved in the bill are not new. They have been before us for many years. They are the subject of emotion, of strong convictions, and also, we must say, they are the subject of bias. Nevertheless they are not new, and the issue must be resolved.

Coming from a border State, in which strong convictions came into being during the Civil War, I have often seen reflected those convictions and emotions. But 100 years ago a Kentuckian, Abraham Lincoln, who later moved to Illinois, knew that the question which was before the country at that time had to be settled—and he acted on that conviction.

I believe that the issue now before the Senate must be settled. It is a constitutional issue. It is a moral issue, and

it involves the very nature of our country and its system.

I have not supported every version of every civil rights bill that has been introduced. But as one who in the past has authored bills and joined in the sponsorship of other bills, and more importantly, as one who holds the belief, as many of us do, that our country must come to grips with this issue and that it must be settled to give equal rights under the Constitution to all of our people, I know and believe that we shall enter into the debate with seriousness and deep purpose.

After 100 years we must come to grips with the issue. To say nothing of the moral concepts that are involved, we must give to all the people of our country their equal rights under the Constitution.

#### MANSFIELD'S FINE APPEAL ON CIVIL RIGHTS

Mr. PROXMIRE subsequently said: Mr. President, earlier today the distinguished majority leader made an impassioned and eloquent plea to all Senators in both parties for their tolerance and forbearance in the coming debate on civil rights. This was a persuasive and significant speech by the majority leader. There is no question that there is no more important issue before the American people than civil rights. There is no more important principle—no more important unfinished business—than to provide that all Americans, regardless of color, creed, or race, shall be treated equally under the Constitution, as we all know so well they are not now treated.

Unfortunately, I suppose, there will be allegations in the debate that certain Senators are making political profit or political gain by the position they have taken in the civil rights debate.

The most moving part of the majority leader's fine address was the plea that there be no moral righteousness or superiority; that Senators not say that certain of their colleagues are for the bill because they will gain votes as a result, or that certain Senators will vote against the bill because they will gain votes by so doing. Instead, the majority leader said that, instead of attributing opportunism motivations, Senators should confine themselves to the merits of this great, vital, and important issue. It was an appeal to the best that is in the Senate, in the best traditions of the Senate. As the majority leader said, Senators should proceed with wisdom, courage, perseverance, and understanding.

I am proud, as a member of the Democratic Party, to support the distinguished majority leader for his excellent speech.

#### PERSONAL STATEMENT BY SENATOR HICKENLOOPER

Mr. HICKENLOOPER. Mr. President, perhaps what I am about to say can be considered somewhat collateral to the discussion that has taken place during the past few minutes.

On Saturday, February 15, 1964, Drew Pearson, in his column sponsored by the Washington Post, discussed some activi-