CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the Committee Substitute amendment to H.R. 17045, the Social Security Bill.

1. **Russell B. Long**
   2. **Herman F. Talmadge**
   3. **Frank L. Scott**
   4. **Carl Vinson**
   5. **Paul G. Fannin**
   6. **Frank E. Moss**
   7. **Walter F. Mondale**
   8. **Henry B. Bentsen**
   9. **James E. Griffin**
   10. **Henry E. B. Bennett**
   11. **Carl T. Curtis**
   12. **Paul Fannin**
   13. **Chaim A. Herzog**
   14. **Robert Dole**
   15. **Burt P. Packwood**
   16. **Claude R. Pell**

70 YEARS 23 WAYS.
TO THE SENATE OF THE UNITED STATES:

I am today returning without my approval S. 518, a bill which would require Senate confirmation of those who serve as Director and Deputy Director of the Office of Management and Budget.

This legislation would require the forced removal by an unconstitutional procedure of two officers now serving in the executive branch. This step would be a grave violation of the fundamental doctrine of separation of powers. In view of my responsibilities, it is my firm duty to veto this bill.

Under present law, the Director and Deputy Director of the Office of Management and Budget are appointed by the President and serve at his pleasure. S. 518 would abolish these two positions effective thirty days after enactment and then provide for their immediate reestablishment. If the officers now lawfully occupying these Office of Management and Budget positions were to continue to serve, they would have to be reappointed by the President, subject to the advice and consent of the Senate.

The constitutional principle involved in this removal is not equivocal; it is deeply rooted in our system of government. The President has the power and authority to remove, or retain, executive officers appointed by the President. The Supreme Court of the United States in a leading decision, Myers v. United States, 272 U.S. 52, 122 (1926), has held that this authority is incident to the power of appointment and is an exclusive power that cannot be infringed upon by the Congress.

I do not dispute Congressional authority to abolish an office or to specify appropriate standards by which the officers may serve. When an office is abolished, the
tenure of the incumbent in that office ends. But the power of the Congress to terminate an office cannot be used as a back-door method of circumventing the President's power to remove. With its abolition and immediate re-creation of two offices, S. 518 is a device — in effect and perhaps in intent — to accomplish Congressional removal of the incumbents who lawfully hold those offices.

Disapproval of this legislation is also required because of the nature of the positions it would subject to Senate confirmation. For over 50 years the Office of Management and Budget and its predecessor agency, the Bureau of the Budget, has been headed by a Director appointed by the President without Senate confirmation.

The positions of Director and Deputy Director of the Office of Management and Budget were established in the Executive Office of the President to provide the President with advice and staff support in the performance of his budgetary and management responsibilities. These positions cannot reasonably be equated with cabinet and sub-cabinet posts for which confirmation is appropriate.

The responsible exercise of the separate legislative and executive powers is a demonstration of the workability of the American system. But, if it is to remain workable, I must continue to insist on a strong delineation of power and authority, the basis of which is too fundamental to allow to be undermined by S. 518.

The point was made most succinctly by James Madison in 1789:

"If there is a principle in our Constitution, indeed in any free constitution more sacred than another, it is that which separates the legislative, executive and judicial powers. If there is any point in which the separation of the legislative and executive powers ought to be maintained with great caution, it is that which relates to officers and offices."

THE WHITE HOUSE,

103d CONGRESS
1st Session

S. 277

To authorize the establishment of the National African American Museum within the Smithsonian Institution.

IN THE SENATE OF THE UNITED STATES
FEBRUARY 2 (legislative day, JANUARY 5), 1993
Mr. SIMON (for himself, Mr. MCCAIN, Mr. DECONCINI, Mr. DODD, and Ms. MOSELEY-BRAUN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL
To authorize the establishment of the National African American Museum within the Smithsonian Institution.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “National African
5 American Museum Act”.
6 SEC. 2. FINDINGS.
7 (a) FINDINGS.—The Congress finds that—
8 (1) the presentation and preservation of African
9 American life, art, history, and culture within the
Amendment offered by Mrs. Bolton of Ohio

On page 68, line 23, after the word religion, insert the word sex.

On page 69, line 10, after the word religion, insert the word sex.

On page 69, line 17, after the word religion, insert the word sex.

On page 70, line 1, after the word religion, insert the word sex.

On page 71, line 5, after the word religion, insert the word sex.

Amendment offered by Mr. Reif of New York

Page 69, line 23

After "training" insert "or re-training, including on-the-job training"

Ad. O.K.

O.K.

Amendment accepted

FEB 8 1964

O.K.

FEB 10 1964

PER 96

Electronic copy

21 (d) It shall be unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training programs to discriminate against any individual because of his
Eighty-third Congress of the United States of America

AT THE SECOND SESSION

Began and held at the City of Washington on Wednesday, the sixth day of January, one thousand nine hundred and fifty-four

An Act

To honor veterans on the 11th day of November of each year, a day dedicated to world peace.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled “An Act making the 11th day of November in each year a legal holiday”, approved May 13, 1938 (52 Stat. 551; 5 U.S.C., sec. 87a), is hereby amended by striking out the word “Armistice” and inserting in lieu thereof the word “Veterans”.

[Signature]
Speaker of the House of Representatives.

[Signature]
Vice President of the United States and President of the Senate pro tem.

Approved:
Dwight D. Eisenhower
June 1954
Washington, D.C.
5833 Bartlett Street,
Pittsburgh, Penna.,
April 12, 1934.

Hon. Duncan U. Fletcher, Chairman,
Senate Committee on Banking & Finance,
Washington, D.C.

Dear Sirs—

I have been asked by my broker to write you expressing my disapproval of the National Securities Exchange Act of 1934, known as the Fletcher-Rayburn Bill.

On the contrary, I am very much in favor of just such a bill, and I am sincerely hoping that the bill will go through.

It has the approval of my family, and you are to be congratulated when said bill has been passed and becomes a law. I have some stock, and got badly "stung" in 1929, worse in 1930.

I am wishing you every success in having this passed, with the least possible bother.

Respectfully yours,

[Signature]
Send the following message, subject to the terms on back hereof, which are hereby agreed to.

March 19, 1965

Honorables John T. Connor
Secretary
Department of Commerce
Washington, D.C.

Please supply the Senate Judiciary Committee with all statistics that you have prepared and submitted to the Civil Rights Commission and all other information that you may have available pursuant to Title 8 of the Civil Rights Act, 1964, Public Law 88-352, wherein you were directed to conduct a survey and to compile registration in voting statistics in such geographic areas as may be recommended by the Commissioner on Civil Rights, etc.

Time is of the essence since hearings start Tuesday, March 23 in the Senate Judiciary Committee on S. 1564, the President's draft bill to enforce the 15th Amendment to the Constitution of the United States and the Committee is instructed to report back to the Senate not later than April 9th.

James O. Eastland
Chairman
Senate Committee on the Judiciary
IN THE SENATE OF THE UNITED STATES,

May 22, 1973

The Senate having proceeded to reconsider the bill (S. 518) entitled
"An Act to abolish the offices of Director and Deputy Director of the Office
of Management and Budget, to establish the Office of Director, Office of
Management and Budget, and transfer certain functions thereto, and to estab-
lish the Office of Deputy Director, Office of Management and Budget", returned
by the President of the United States with his objections, to the Senate, in
which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present
having voted in the affirmative.

Attest:

[Signature]

Secretary.

I certify that this Act originated in the Senate.

[Signature]

Secretary.

IN THE HOUSE OF REPRESENTATIVES, U.S.,


The House of Representatives having proceeded to reconsider the bill (S. 518)
entitled "An Act to abolish the offices of Director and Deputy Director of the
Office of Management and Budget, to establish the Office of Director, Office of
Management and Budget, and transfer certain functions thereto, and to establish
the Office of Deputy Director, Office of Management and Budget", returned by the
President of the United States with his objections, to the Senate, in which it
originated, it was

Resolved, That the said bill do not pass, two-thirds of the House of Repre-
sentatives not agreeing to pass the same.

Attest:

[Signature]

Clerk.
Senate insists on its amendments and

H. R. 3370
79TH CONGRESS
29 Session

AN ACT
To provide assistance to the States in the establish-
ment, maintenance, operation, and expansion of school-lunch programs, and for
other purposes.

MAY 24 (LEA. DAY, MAR 5) 1946
SENATE AGREES TO CONFERENCE REPORT

In the Senate of the United States,

MAY 23 1946
House agrees to conference report.
We, the undersigned petitioners, citizens of the United States, beg most respectfully to represent to your honorable bodies, the Senate and House of Representatives, the alarming state of the country in respect to the appalling prevalence on the Southern States, of that species of lawlessness known as lynching whereby inhabitants of that section are deprived of life without due process of law by gangs of irresponsible and wickedly disposed persons; that the victims of these barbarous outrages and outrages are mostly members of the Negro race, and that the crimes imputed to them by their self-constituted executioners, but never proved, and for which they suffer death, have ranged all the way from petty larceny to murder; that Negroes have been hanged and shot in the South by lynching mobs on mere suspicion, or because they have incurred the odium of being politically troublesome to the community in which they resided; that human life is frightfully cheap in the South, and that a Negro’s life has absolutely no value whatever there when a Southern mob seizes his blood; that the local police power offers him under such circumstances no adequate protection and often times are in actual or virtual connivance with his murderers.

WHEREFORE, your petitioners pray your honorable bodies to make the act of lynching a crime against the United States, to provide for itspunishment the severest pains and penalties, and to empower the President of the United States and to make it his duty to intervene whenever and wherever necessary with the armed forces of the nation to prevent the commission of this atrocious crime, and to rescue any person or persons from the hands of any mob in any state of the Union; and for the better prevention of lynching your petitioners further pray your honorable bodies for the creation of a General Detective Bureau at Washington with branch offices in various parts of the section or sections subject to this kind of lawlessness, for the purpose of collecting and transmitting information promptly to the President relative to the intentions and movements of lynching bodies, and that such information may be used in subsequent prosecuting proceedings against such individuals in the Courts of the United States for violation of the law made and provided in that behalf.
CHANGING ARMISTICE DAY TO VETERANS DAY

MARCH 9, 1954.—Referred to the House Calendar and ordered to be printed

Mr. McCulloch, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 7786]

The Committee on the Judiciary, to whom was referred the bill (H. R. 7786) to honor veterans on the 11th day of November of each year, a day dedicated to world peace, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

It is the general purpose of H. R. 7786 to expand the significance of Armistice Day and to change its name to Veterans Day. Armistice Day was declared a legal public holiday by an act of Congress approved May 13, 1938, to be observed on the 11th day of November of each year, in commemoration of the close of World War I. The holiday was dedicated to the cause of world peace, and has been regarded and observed throughout the land as a day to honor the veterans of the First World War who fought, and especially those who died, for that cause.

Since 1938, however, the United States has been involved in two other military conflicts, World War II and the Korean conflict, in each of which our country sought to advance permanent peace in the world and each of which added millions of veterans to those of World War I who had fought for the same noble objective.

This legislation does not establish a new legal holiday. Rather, it expands the significance of an existing holiday in order that a grateful nation, on a day dedicated to the cause of world peace, may pay proper homage to all its veterans who have contributed so much to that cause and the preservation of our way of life. It is altogether fitting that the United States should honor all of its veterans on a day when those of World War I, in commemoration of the cause of world peace, pause to pay tribute to their comrades who gave their lives fighting for that cause.
Amendment offered by Mr. Celler, N.Y.

Page _ , line _

After _strike out all after the enacting clause of S. 1564 and insert in lieu thereof the provisions contained in H.R. 6400 as passed by the House._

2 _of the United States of America in Congress assembled,_

3 That this Act shall be known as the "Voting Rights Act of 1965".

5 _Sec. 2. No voting qualification or procedure shall be imposed or applied to deny or abridge the right to vote on account of race or color._

8 _Sec. 3. (a) No person shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device, in any State or in any political subdivision of a State which_ (1) the Attorney Gen_
IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1926

Mr. GRAHAM submitted the following resolution; which was referred to the Committee on Rules and ordered to be printed

RESOLUTION

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 12216, a bill to amend section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended by the Act of May 31, 1924. That after general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and a member of the Judiciary Committee opposed to the bill, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House, with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage.
The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Gracious God, our Father, whose still, small voice invites us to turn aside from the feverish ways of the world; forgive us that, pursuing our way amid the false standards set up by men who have not Thy in awe, we so often make Thy love too narrow, by false measures of our own.

As we bow at this altar of Thy grace, make us vividly aware that if we live a life of prayer, Thou art present everywhere. Endow and enrich Thy servants in this national body with wisdom and purity of motives in the ministry of public affairs. In these days so fraught with destiny, make them worthy of the Nation's trust, turning to Thee with the fervent vow—

We pledge our hopes, our faith, our lives, That freedom shall not die.

We pray Thy guidance, strength, and grace.

Almighty God on high.

Amen.

VOTING RIGHTS ACT OF 1965

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Under the order previously entered, the Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. Kennedy], on behalf of himself and other Senators, numbered 162, to the amendment in the nature of a substitute, as amended, numbered 124, offered by the Senator from Montana [Mr. Mansfield] and the Senator from Illinois [Mr. Dirksen].

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANFIELD. Mr. President, I yield myself one-half minute.

The PRESIDENT pro tempore. The Senator from Montana is recognized for one-half minute.

Mr. MANFIELD. I am currently the authorization of the Committee on Antitrust and Monopoly to the Committee on the Judiciary, and the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

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

The PRESIDENT pro tempore. The PRESIDING OFFICER. (Mr. Kennedy of New York in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KENNEDY of Massachusetts. Mr. President, I yield 7 minutes to the senior Senator from New York.

The PRESIDING OFFICER. The senior Senator from New York is recognized for 7 minutes.

Mr. JAVITS. Mr. President, we come now to the closing moments of the debate. I believe it is important to sum up.

First, on the affirmative, I believe we have demonstrated that upon the facts being the poll tax is justified because it represents in a broad enough area and in enough circumstances an abridgement upon the right to vote which we hold sacred, and which is so fully protected by the Constitution.

Second, I believe that we have shown that the poll tax is not a qualification for voting. It has nothing to do with a person's capacity to understand his responsibilities as a citizen. It is a tax, and it is a tax which represents a burden upon the right to vote and, therefore, it ought to be banned as an abridgement of the right to vote under the 15th amendment.

Third, we have demonstrated that court decisions upon the subject have not been based upon such a record as we have made in the Senate. Decisions have been made, for example, in a case such as Breedlove against Suttles, a case with no 15th amendment impact in which the questions of racial discrimination or the economic impact of a poll tax were not even raised, but in which other questions were raised long before the time when it was possible to make and present, as we have now made and presented, a record of fact upon which a ban by Congress could be based.

Fourth, we point to the recommendation of the U.S. Civil Rights Commission, based upon its own hearings, on the ground, as it were, in a poll tax State. Their finding, as they made it public on May 8, reads as follows:

The requirement that any poll tax be made a prerequisite to voting in any election should be abolished, in view of the fact that poll taxes have been intended and utilized as a means of discrimination, in violation of the 15th amendment. In the opinion of the Commission, there can be no reasonable doubt of the power expressly granted Congress to enforce the 15th amendment.

Finally, we come to the proposal made by the majority leader and the minority leader in their amendment in the nature of a substitute. The following ingredients are missing from it:

First, there is in that proposal no finding of fact—and I make this statement advisedly—and that is a very critically missing ingredient, because that is the basis for a different approach from that which was taken by the Court in Breedlove against Suttles. The evidence of these facts was observed, but the finding is missing. Indeed, the Attorney General's letter asserts that a finding is there, but it is not. So the only way in which to offset the result is by enacting the amendment which we have proposed.
UNITED STATES OF AMERICA
Congress of the United States

To CHARLES E. MITCHELL, The National City Bank of New York, N.Y., 55 Wall Street.

Greeting:

Pursuant to lawful authority, YOU ARE HEREBY COMMANDED to appear before the Committee on Banking and Currency of the Senate of the United States, on February 21, 1933 at ten o'clock A.M., at their Committee Room 301, Senate Office Building, then and there to testify what you may know relative to the subject matters under consideration by said Committee.

and further to bring with you and deliver to the Committee such books, papers and records as may be necessary for a complete examination of the operations of the National City Company from January 1, 1921, to date, and further including all records of the National City Bank which may be relevant to the above inquiry. Also all records showing trading in securities carried on or participated in by you or by any other person on your behalf or by any syndicate in which you had an interest from January 1st, 1923 to date.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To RAYMOND MULLIGAN, United States Marshal
to serve and return.

Given under my hand, by order of the Committee, this 24th day of January, in the year of our Lord one thousand nine hundred and thirty-three.

Chairman Committee on Banking and Currency.