

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE INVASION OF LEGISLATIVE POWER

Mr. O'MAHONEY. Mr. President, yesterday I announced it would be my purpose today to discuss the pending nomination of Lewis L. Strauss to be Secretary of Commerce. The nomination made by the President was recommended by the Interstate and Foreign Commerce Commission, by a vote of 9 to 8, for confirmation by the Senate.

I am one of those who believe that the nomination should not be confirmed. It was for that reason that on yesterday I gave notice of my intention to discuss the question today, in the hope that it might be possible to secure a quorum for the purpose of laying before the Senate some of the fundamental, basic facts which are involved in this matter. I am told, however, that some of the Members of the Senate are absent because there is pending a policy committee meeting of the minority group.

I wish that I could talk to that policy committee meeting instead of talking to empty desks on the floor of the Senate. If I were to talk to them, my purpose would be to urge upon the minority Members of the Senate that they send a message to the President of the United States asking him to withdraw the nomination of Admiral Strauss, in the interest of promoting comity and community action between the executive and the legislative branches of the Government.

Of course, I do not believe they will do that, and I doubt whether it would be worth while for anybody to make an attempt to induce them to do so. But I should like to say to the Senate and to the public at large that the constitutional fathers, when they drafted the document upon which our Government stands, believed that the lawmaking power was the most important power the new Government could possess because in their view the new Government to be established upon this continent should be a government of the people, and not a government of any group or class or man. They provided for that in the very first article of this immortal document. When I say "immortal," I do not mean that it necessarily will not pass into the limbo of history, because I think there is now grave danger that the Congress itself will sacrifice the great and honorable position into which it was placed by the Founding Fathers.

LEGISLATIVE POWER

The Founding Fathers described the Congress, what it was, and what its powers would be, in the very first article, saying in words of simple connotation: "All legislative Powers herein granted shall be vested in a Congress of the United States."

Observe that language: "All legislative Powers herein granted shall be vested in a Congress of the United States."

The first article did not say "all powers shall be vested in the judiciary"; it did not say they shall be vested in the executive; it said they shall be vested in the Congress, because the Congress is composed of representatives of the people.