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# A survey of Kenneth B. Keating's legislative image relative to the domestic issues during the years 1947-1958

Carl C. Moore Jr

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Approved, Spencer D. Albright  
Professor of Political Science

**A SURVEY  
OF KENNETH B. KEATING'S LEGISLATIVE IMAGE  
RELATIVE TO DOMESTIC ISSUES  
DURING THE YEARS 1947 — 1958**

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**A Thesis  
Presented to  
the Faculty of the Department of History  
University of Richmond**

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**In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts**

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**by  
Carl Cobert Moore, Jr.**

**August 1967**

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## PREFACE

Upstate New York, a term commonly used to denote that area outside the environs of Metropolitan New York City, could have boasted of many favorite sons over the years. A current example, Kenneth B. Keating, is the topic of this survey.

Essentially this work was meant as a record of characteristic legislative commitments made by the Congressman relative to domestic concerns during his years of service in the House of Representatives. However, since the initial efforts were motivated by the author's interest in discovering the basis for Mr. Keating's continuing success at the polls, it was determined that the actual record, objectively transferred from the primary sources of Congress, would not serve this purpose adequately.

Therefore, the approach which has been utilized is characterized by a concentration, not specifically on the total and actual record, but rather on those portions of the record which seemed to have been most exposed to the general Rochester public. Of necessity, therefore, reliance has been placed not only on the records of Congress and related materials, but also in large measure upon Rochester area news publications which by their intrinsic nature offered

considerable aid in constructing, focusing and perpetrating that public image.

In respect to the source materials used for this work, thanks are in order for the kind assistance offered by various staff members of the Rochester Public Library and the Special Collections Division of the University of Rochester Library. My thanks go also to Mr. Bernard Eisenberg, a former staff aid to Mr. Keating, for helpful suggestions.

To the subject of this survey, Mr. Keating himself, must go a special thanks. In granting me access to the Keating Papers while they were yet unpacked from their Washington trip, he contributed an additional and valuable dimension to my attempt. The research which preceded the writing of this survey has served to reinforce the author's impression that such consideration is not out of character for the Rochester Legislator.

The author

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## CHAPTER I

### INTRODUCTION -- PRECONGRESSIONAL YEARS

Kenneth Barnard Keating, native of that region of Upstate New York known as the Genesee Country, became in 1958 only the second product of the area to reach the United States Senate.<sup>1</sup> Lending emphasis to this Keating achievement is the fact that this broad belt paralleling the Genesee River and stretching from Pennsylvania to Lake Ontario has a history which reaches back to the dawn of the nation.

In the following pages, both this role of political eminence and its acquisition will be largely subordinated, however, to the surveying of a twelve-year legislative image constructed by and for Mr. Keating during the period immediately preceding this 1958 election. The term "image" is used here rather than legislative "record" to suggest that the prime consideration in Mr. Keating's Senate victory was a reflection, and not necessarily the actual record itself.

With this in mind, the survey, therefore, will be most concerned with the Keating legislative commitments which were reflected into the public eye and thus contributed to the molding of that image known as "Ken Keating". Therefore,

<sup>1</sup>James W. Wadsworth, Jr., Geneseo, New York served in the United States Senate from 1914 to 1920.

an attempt will be made in the following pages to record such commitments in arbitrarily arranged topics. Much of the material used will have come from those news publications in the Rochester area which presumably both helped to construct as well as to mirror the image to which the average Keating constituent had been exposed.

To guarantee a proper degree of strength and validity, however, such material will be correlated within a structure erected from Congressional source materials judged to have been most available to members of Rochester's general public. Hopefully, the effect of these efforts will be the formulating of a valid and potentially useful compilation which highlights the facets of that image constructed from Mr. Keating's twelve years of service in the United States House of Representatives.

Prenomination years. To provide a foundation on which the survey may be constructed, a brief prelude to help identify the individual named "Ken Keating" may be warranted. In this regard, it should be noted that he was born in 1900 near Lima (Livingston County), New York and was for seventeen years the only child of Thomas Mosgrove Keating and Louise Barnard Keating.<sup>2</sup> The father was owner of the only

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<sup>2</sup>The only other Keating child, Dorothy, was born in 1917.

market in the Village of Lima and his mother was a teacher in a nearby public school.

Kenneth B. Keating gained his early education from his mother's tutoring and, starting in 1906 (in the sixth grade), by attending the Lima school. Upon his graduation at the age of twelve, he attended an academy in Lima called Genesee Wesleyan. Later, he entered the University of Rochester at the age of fifteen, received a degree in 1919, and taught classics for one year in Rochester's East High School.

A legal career beckoned, however, and Ken Keating transferred his interests to Harvard Law School from which he would obtain a degree in 1923. A short time later he returned to Rochester and soon became a partner in a local law firm. His permanent residence was to become the suburb of Brighton where he would settle with his wife, the former Louise De Fuy, and for a time serve as the town attorney.

In 1942 Ken Keating entered the United States Army relinquishing among other things, an apparently flourishing law practice and a position of Monroe County Republican Treasurer. The latter fact is perhaps noteworthy since it serves to indicate to some degree the strata of influence in party circles on which, by this time, he dwelt and from which, upon completion of the war, he would vault into

contention for a seat in the United States Congress.

The new chapter in the "Ken Keating" story seems to have begun soon after his arrival back in Rochester during the early weeks of 1946. At first, Colonel Keating spent some accumulative-leave time reacquainting himself with his law practice before he officially separated from active military duty in the spring.<sup>3</sup> But by late March, one of the contenders for the Congressional nomination (Republican) noted that:

Ken Keating is now intensively traveling the church social circuit this summer. That is another way of saying that indications are that he will be nominated for Congress.<sup>4</sup>

By May, Mr. Keating himself revealed that:

...a considerable movement in diverse quarters developed to secure for me the Republican nomination for Congress. I have just had a talk with our Republican leader who has given me the greenlight.<sup>5</sup>

It was, however, nearly two months later before official notice appeared in a local newspaper announcing that he had gained the nomination.<sup>6</sup>

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<sup>3</sup>Mr. Keating retained his commission as a reserve officer.

<sup>4</sup>Letter from Colonel William H. Emerson to John Taber, March 25, 1946, uncatalogued papers of Colonel William H. Emerson, (University of Rochester), hereafter cited as "Emerson Papers".

<sup>5</sup>Letter from Kenneth B. Keating to Governor W.H. Vanderbuild (Mass.), May 18, 1946, uncatalogued papers of Kenneth B. Keating, (University of Rochester) hereafter cited as "Keating Papers".

But the process of officially acquiring this nomination may have accompanied a personal crisis regarding Mr. Keating's health, which is perhaps deserving of mention as a footnote to history. In this respect, a Keating letter to a friend revealed that:

since my return to this foul Western New York atmosphere, I have had a great deal of trouble with my old pipes.... My doctor has unequivocally advised that I move away to some climate which agrees with me better ....<sup>7</sup>

Later, in a similar reference to another acquaintance he commented that:

since I received your previous letter, I had quite a bout with my old asthmatic difficulties and spent a couple weeks at Johns Hopkins Hospital in Baltimore.<sup>8</sup>

From the tone of these comments, a researcher might conclude that the Keating candidacy could have been in jeopardy from about the time it was starting. However, further reference to any such Keating health problem from this point on for several years has not been discovered by this author. Based on this fact alone, therefore, an assumption may be made

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<sup>6</sup>Rochester New York Democrat Chronicle, July 11, 1946, p. 1, Hereafter cited as Roch. Dem. Chron.

<sup>7</sup>Letter from Keating to Major General W.E.V. Abraham, Feb. 1, 1946, Keating Papers.

<sup>8</sup>Letter from Keating to Sidney E. Alden, May 1, 1946, Keating Papers.

that any threat to his political career which this particular health problem may have represented, either had soon passed or bore no additional necessity for medical attention other than that which could be obtained without arousing public attention.

The 1946 Election Campaign. When Mr. Keating's nomination as a candidate for the Fortieth District Congressional seat was announced to the Rochester public, it was immediately labeled a "political fluff",<sup>9</sup> by an opposition newspaper;

Not that there is anything wrong with Colonel Keating, he is just too symbolic of the Republican Party.

The Colonel is strictly "blue stocking" stuff. A member of the best clubs, socially prominent, well born, well educated and never down in the pocketbook where he didn't have a couple of fifties nestling in there with all those twenty dollar bills.

He resides in an extremely tasteful rancho in Brighton that costs a rather pretty penny; married a beautiful lady who was and is socially prominent and financially important. All of which shows good judgement on the part of the capable Colonel but throws the Republican ticket off balance against incumbent George Rogers [a Rochester grocer].<sup>10</sup>

The report continued by saying that the Republican candidate was, "... identified with the banks, the upper crust legal fraternity and serves as counsel... for some of our larger

The Rochester Sun, July 11, 1946, p. 3. Hereafter cited as Roch. Sun.

<sup>10</sup>Ibid.

concerns".<sup>11</sup>

While the opposition press spoke in this manner, a weekly paper friendly to his cause launched what was to become a pattern of Keating praise. This included endorsements characterized by the following:

It's like a cool draft of water from crystal springs to know that once again this district will have clear headed, sound thinking and intelligent appraisal of legislation in Washington.<sup>12</sup>

Early in the campaign campaign Keating seems to have begun an attempt to link his opponent with the radical left. In his opening speeches he stated that Rogers "...had allowed his Communist sympathy to be reflected in his Congressional voting record".<sup>13</sup> To support the claim, Keating cited six roll call votes in which the Democratic incumbent had demonstrated "... sympathy for the ideologies and left wing program of a foreign power".<sup>14</sup> A portion of these examples related to Rogers' having voted against appropriations for, and the continuation of, the House Un American Activities Committee.

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<sup>11</sup>Ibid.

<sup>12</sup>The Brighton Pittsford New York Post, July 11, 1946, p. 2. Hereafter cited as B.P.Post.

<sup>13</sup>Roch. Dem. Chron. Sept. 10, 1946, p.15.

<sup>14</sup>Ibid. Details of this charge as reported by this paper may be found in the Appendix.

To this "left wing" theme Mr. Keating would return several times in the weeks ahead. A related theme advanced and emphasized in Mr. Keating's first campaign for public office suggested that a growing Democratic Bureaucracy in Washington and the "high" spending practices of the federal government bore a logical relationship not only to each other, but to socialist economic principles. An example of how he discussed such spending practices in terms meaningful to many Rochester taxpayers could be found in his mention of the fact that Democrats had, in past months, approved some "...boondoggling projects costing the Rochester suburb of Pittsford residents nine dollars apiece"<sup>15</sup> with no value received. This waste by the Democrats, he said, could only be properly checked by a Republican victory at the polls.

Perhaps an example of a more subtle influence acting to establish a positive identity for Mr. Keating among the voters, can be related to the fact that his 1946 election campaign occurred at a time when it was not uncommon for people to equate military service with favorable terms such as "honor" and "patriotism". In this regard, it can hardly be considered irregular that in most of the press coverage his name was preceded by the earned military title "Colonel",

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<sup>15</sup>B.P. Post., Sept. 12, 1946. p. 1.

and frequently was accompanied by a picture of him in uniform, but neither can it be said to have harmed his political cause. This must be especially significant in view of the fact that each such recognition in the press likely accented the fact that Keating's opponent lacked not only the military title and uniform, but any semblance of a war record as well.

Near the end of what (in Monroe contests in general) was described as a "lackluster" campaign, the county political scene became so placid that it "almost expired ...six days before election"<sup>16</sup>. As a Party, county Republicans were confidently riding what they are convinced is a mighty tide"<sup>17</sup>. In respect to this, it should be pointed out that these hopes were somewhat reinforced by a Republican registration lead of over four to one (in the county as a whole), and the fact that at least up to November 1, 1946 an admitted rift had existed in Democratic circles between State Committeeman Joseph J. Oca and the Tenth Ward leader Michael S. Cariola.<sup>18</sup>

This state of affairs, however, did not prevent the two Fortieth District Congressional candidates from continuing their campaigns on through the last weekend of the race.

<sup>16</sup>Roch. Dem. Chron. Nov. 1, 1946, p. 1

<sup>17</sup>Ibid.

<sup>18</sup>The Rochester Times Union, Feb. 4, 1946, p. 1; Hereafter cited as Roch. T.U.; and Roch. Dem. Chron. Nov. 3, 1946. p. 20.

Near the end, Keating repeated his basic opposition to Democratic spending, and urged a return to "...commonsense and businesslike administration".<sup>19</sup> Meanwhile, Congressman Rogers: charged that Keating had been "smothered" by widespread unfavorable reaction from his attempts to label the opponent a Communist; alluded to the "vagueness" of Keating's campaign statements as tantamount to trying to sell a pig in a poke; and suggested that the fate of the United Nations hung in the balance when he said that he was "ferverently" praying "...that we do not elect a Congress which will destroy ...the United Nations just as the Republican Congress of 1918 destroyed the League of Nations".<sup>20</sup>

When the magic night arrived, Kenneth Barnard Keating, by a 53,121 to 43,421 plurality in Rochester and a 31,653 to 12,370 plurality in the constituent town had received his first of several calls from the electorate.<sup>21</sup> Keating admirers responded, as might be expected, in glowing terms. One comment pointed to the victory of the forty-six year old Brighton attorney as having gone a "...long step toward

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<sup>19</sup>

Ibid., Roch. Dem. Chron., Nov. 2, 1946, p. 20.

<sup>20</sup>

Ibid., Nov. 3, 1946, p. 2B.

<sup>21</sup>

Ibid., Nov. 6, 1946, p. 17. The county Democratic leader was quoted as blaming the county-wide defeats for his party on the "backwash of the war".

putting the Rochester Congressional District on the National political map".<sup>22</sup> Another supporter claimed that Keating would enter his new role with "...equipment and attainments which promise that the Fortieth District will have in Washington what the city has not had since it became a city -- a Representative who will be a national figure in Congressional affairs."<sup>23</sup>

Preview of the Keating House Career. The subsequent career of Mr. Keating in the House of Representatives would span five more elections and twelve sessions of Congress. Of course, within this time the Upstate Republican would become embroiled in a magnitude of both national and local topics, many of which represented opportunities for the leadership and fame predicted for him.

In the following survey, the major topics have arbitrarily been arranged into units and chapters for the sake of convenience. Where the frequency of Keating activities or particular tonal impact seems to dictate an obvious order, the topics within a chapter have been arranged so that those appearing to have greater importance are discussed first.

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Ibid., Nov. 7, 1946, p.19.

23

Ibid.

Otherwise, discussion in each chapter proceeds topically and for the most part in the chronological pattern in which they occurred.

With the foundation for this survey of the Keating legislative image now having been established by the highlighting in the past few pages of his precongressional background, a continuation into the survey itself may be warranted. Discussion of his other House election campaigns will be withheld until later when the basic legislative aspects of the survey will have been completed.

The first unit of this work will, in three chapters, focus on various aspects of the Congressman's record regarding the general topic of "Domestic Economy". By its very nature, however, this material as well as much from the following pages lends itself only partially to rigid categorization. Therefore, dividing it into chapters in some cases has been accomplished by arbitrary decisions which hopefully will aid the reader without damaging the work either by excessive rigidity on the one hand or excessive overlapping on the other.

## CHAPTER II

### FEDERAL INFLUENCE

Although the sounds of World War II had faded into the past by the time the Eightieth Congress first met, the nation was left with many reminders from those total mobilization days. One of these, perhaps more obvious than some, was the existence of federal controls over phases of the nation's economy, and what to many must have appeared as a dislocation of federal influence over private enterprise.

In searching the record of a Republican Congressman who strode onto the federal stage at this time, a question arises automatically as to that man's views on this particular situation. Had he, for example, followed the dictates of a policy statement released in May of his first Congressional session, the answer would have been rather clear. This statement, submitted by the House Republican Steering Committee, promised that, "Government controls shall be eliminated as rapidly as possible."<sup>1</sup>

But Kenneth B. Keating appears to have shown some reluctance to embrace a stand as strong as this. The following pages in this chapter will attempt to reveal the degree of

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<sup>1</sup> Roch. T.U., May 26, 1947, p. 3. The First Session of the Eightieth Congress did end many controls. Rent controls, as will be noted, was a major exception.

control he was willing to accept in the varying periods of the cold war and Korean tensions. Likewise, with respect to Mr. Keating's legislative image, these pages will review material intended to show his public record on the related topics of government influence in industries such as highway construction, oil and gas, and finally in regard to private enterprise in general.

Government in the Field of Housing. The records indicate that in the beginning of his House career Mr. Keating supported the continuation of some government curbs and controls, but justified this on exigencies left in the wake of war. A characteristic explanation with which he greeted the first of what was to be periodic opportunities for renewing such control programs sounded like this:

Although I do not like continued government controls and hope they will be eliminated as rapidly as possible consistent with safety, I am convinced temporary continuance of [in this particular case — sugar]... controls at a reasonable cost is necessary.<sup>2</sup>

He claimed to have discerned an "instinctive resentment of controls among Americans", but noted that they realize for the most part that stabilization is necessary.<sup>3</sup> Keating

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<sup>2</sup> Ibid., Mar.22, 1947, p. 2A.

<sup>3</sup> Ibid., July 7, 1951, p. 7.

warned as late as 1951 of chaotic conditions if the remaining World War II controls passed out of existence immediately, and pointed out that economic strength and military strength are equally important as safeguards against "Russian plans".<sup>4</sup> Controls, he said, are, however, "...never... a permanent or a complete solution to the problem of high prices... but are simply a stop-gap method of meeting a temporary situation".<sup>5</sup> His roll-call voting record in the House seems to, for the most part, reinforce such comments.

For example, legislation in the field of housing offered him ample chance to amass a lengthy record against government intervention. However, starting in the First Session of the Eightieth Congress he voted "yea" to extension of rent control and house construction acts.<sup>6</sup> In addition, he voted in 1948 to extend the Reconstruction Finance Corporation and supported the National Housing Act which increased funds available for mortgage insurance.<sup>7</sup>

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<sup>4</sup>Ibid., July 7, 1951, p. 7.

<sup>5</sup>

Ibid., July 19, 1951, p. 23. When criticized by a state Democratic leader as having "...meekly followed the lead of Dixiecrats in voting for price controls," Keating is quoted here as saying that on all thirteen roll call votes relative to the question, he voted for strong controls. "Every vote I cast ...was in the interest of the Consumer," he replied.

<sup>6</sup>

Congressional Record, 80 Congress, 1 Session, (May 1, 1947), p. 4416, (Bill number HR3203). Hereafter cited as Cong. Rec.

It may be of interest to note that at this time, Rochester, like many parts of the nation, was experiencing notable housing shortages. One local paper, in this regard, referred to a report from the Rochester Real Estate Board which listed, "... 12,500 applications of families or individuals seeking rental accommodations".<sup>8</sup> However, local sentiment regarding proposals for public housing programs to alleviate the situation seems to have varied.

Based on area voting during public housing referendums in 1947 and 1949, there may be justification for concluding that there was in Upstate New York, something of a disenchantment with the idea of governmental influence in the field of housing.<sup>9</sup> But Congressman Keating voted to extend federal controls again both in 1949 and 1950, explaining in the latter instance that: "...although bitterly opposed to control as part of the peacetime economy, I recognize the

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<sup>7</sup> Cong. Rec., 80 Cong., 2 Sess., (Mar. 16, 1948), p. 2982, (S2182);

<sup>8</sup> Ibid., (Aug. 7, 1948), p. 10219, (HR6959).

<sup>8</sup> Roch. T. U., Nov. 5, 1948, p. 1. This report estimated that 4,200 families were seeking housing accommodations in the county at this time.

<sup>9</sup> Ibid., Dec. 3, 1949, p. 6. This report notes that a state referendum held two years before had shown Upstate voters to be willing to pay for constructing of public housing projects but opposing plans to subsidize rents. A November 1949 state referendum, however, was said to have shown Upstate voters to be 2 to 1 in opposition to both.

necessities of Korean mobilization require constant reexamination of what might be one's normal views and desires!"<sup>10</sup>

Likewise, he voted to pass the Housing Act of 1949 and the Housing Act of 1950 which effectively kept the federal government's hand in the construction business.<sup>11</sup> Thereupon, except for 1956 when he recorded a vote against a public housing project, his (roll call voting) record favoring the federal government's continued interest in housing was supported with "yea" votes most of the remainder of his House career.<sup>12</sup>

Some evidence, however, exists as an indication that rather than encouraging the spending of federal tax dollars for constructing housing, the Congressman was much more in favor of a government Lease Purchase Program which he felt could stimulate construction by private contractors. In

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<sup>10</sup>  
p. 2545, Cong. Rec., 81 Cong., 1 Sess. (Mar. 15, 1949), (HR1731).; Ibid., 81 Cong., 2 Sess. (Dec. 7, 1950), p. 16306, (HR9763).;

Roch. T. U., Mar. 30, 1949, p. 6.

<sup>11</sup>  
p.8677, Cong. Rec., 81 Cong., 1 Sess. (June 29,1949), (HR4009).; Ibid., 81 Cong., 2 Sess., (Mar. 22, 1950), p.3882, (HR7402).

<sup>12</sup>  
p.4490, Ibid., 83 Cong., 2 Sess., (April 2, 1954), (HR7839).; Ibid., 83 Cong., 2 Sess., (June 17,1954), p.8470, (H.RES.7839).

Continued on next page.

1957, for example, he showed some anger at the House Public Works Committee for trying to kill the program. He called the attempt unwarranted. "The lease program is basically sound," he said.<sup>13</sup> It lets private enterprise finance construction rather than the federal government. "It stimulates the building industry and prevents drain on taxpayers," he continued. "It is a sensible and workable program which will pay handsome dividends by encouraging local initiative and local action."<sup>14</sup>

Another glimpse of the Keating philosophy regarding the role of the federal government in housing can be seen in his 1958 vote for the Housing Bill. At this time, he attributed his support at least partially to the recession through which the nation was suffering at the time, and he explained:

All of us can well be disturbed about the business slump, but we shouldn't push the "panic-button". Conditions don't seem to warrant "slam-bang" crash pump-

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<sup>12</sup>

(Continued). Cong. Rec., 84 Cong., 1 Sess., (July 29, 1955), p. 12145, (S2126);  
Ibid., Cong. Rec., 84 Cong., 1 Sess., (July 29, 1955), p. 1239, (S2126).  
Ibid., Cong. Rec., 84 Cong., 2 Sess., (July 25, 1956), p. 14461, (HR 11742).  
Ibid., Cong. Rec., 85 Cong., 2 Sess. (Aug. 18, 1958), p. 18259, (S4035).

<sup>13</sup>

B.P. Post., Aug. 1, 1957, p. 3.

<sup>14</sup>

Ibid., This lease program permitted private contractors to construct the buildings for lease by the government. After the lease period of twenty-five years was up the government had the right to buy them.

-priming programs ... [that] could set off an inflationary spiral which would make your head swim. <sup>15</sup>

Panic , he said, is more contagious than any disease and the present unemployment rate shows signs of being temporary. He assured the homefolks that Congress wasn't sitting on their hands but had been taking steps to promote homebuilding and increase the federal highway program. <sup>16</sup>

Government Influence in the Field of Highway Construction. In fields other than housing, glimpses of Congressman Keating's legislative philosophy on the role of government can likewise be detected rather clearly. For example, in regard to the highway program about which mention has just been made there may be some grounds for concluding that his implied (above) support in 1958 may have represented a departure from previous thinking. If in themselves, roll call votes are any indication, there is some basis for suggesting that he had looked unfavorably upon attempts to extend federal influence in this field. As a matter of fact, on roll call votes both in 1948 and 1950 Keating voted in

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B.P. Post., May. 6, 1958, p. 8. In this particular weekly paper Mr. Keating often wrote a column from Washington. This quotation comes from that source.

16

Ibid.

opposition to bills for broadening the Federal Aid Road Act  
of 1916.<sup>17</sup>

Likewise, the Upstate Republican opposed passage of  
the highway construction bill in 1955.<sup>18</sup> However, the Federal  
Highway Act of 1956 did gain Mr. Keating's vote as did the  
one mentioned in 1958.<sup>19</sup>

Commenting to colleagues about the latter bill, he  
illuminated some aspects of his thinking on these matters:

The pay as-you-build principle embodied in the  
original highway bill is a sound and constructive one.  
Were [sic] that more Federal programs were run on such a  
hardheaded basis. However, we should not let that aus-  
picious start be darkened by allowing later inequities  
in the distribution of funds... [he indicated that a cure  
for "inequities" supported by some would be to reward  
those states which have worked hard on highway construc-  
tion]. As it is, New York receives its usual short  
end of the stick under this Federal program. We are the  
most important business, manufacturing and commercial  
State. We rank second in the nation in number of auto-  
mobiles and in gas consumption. As a result, New York  
contributes heavily to the revenues available to the  
Federal Government for this highway program.<sup>20</sup>

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p. 4345, Cong. Rec., 80 Cong., 2 Sess., (April 12, 1948),  
(HR5888);

p. 7349, Ibid., 81 Cong., 2 Sess., (Mar. 19, 1950),  
(HR7941).

18.

p. 7908, Ibid., 84 Cong., 1 Sess., (June 28, 1955),  
(HR5923).

19.

p. 7221, Ibid., 84 Cong., 2 Sess., (April 27, 1956),  
(HR10660);

p. 6255, Ibid., 85 Cong., 2 Sess., (April 3, 1958),  
(HR9821).

20

p. 3655, Ibid., 85 Cong., 2 Sess., (Mar. 6, 1958),

In hopes of improving the situation about which he referred, Mr. Keating submitted a bill which would have given a total of \$ 4200 million to the states to compensate them for, "... already-completed portions of the Interstate Highway System."<sup>21</sup> Had his bill gained enactment, New York would have received \$ 8,822,800,000 or roughly fifty dollars per resident.

By this time (1958), Mr. Keating's view seems to have made some accommodation from its earlier degree of reluctance to involve the federal government in highway construction. In regard to the massive federal program then underway he was to comment:

The Federal Interstate Highway System marks a significant forward step in the internal development of our nation. By drawing together our great industrial and population centers, it provides an important link in times of war or peace.<sup>22</sup>

#### Federal Influence Regarding the Oil and Gas Industries.

A review of other matters within this same general category of extending federal influence may reveal a commentary of

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Cong. Rec., 85 Cong., 2 Sess., (Mar. 6, 1958), p. 3655, (HR11554);

Roch. T. U., June 2, 1952, p. 29 quotes Keating from a WHEC radio broadcast the previous day after a non roll call vote on a road bill as saying;

"The bill allocating money to various states requires New York to put up 215 million dollars to receive 6.6 million.... 'It just looks to me like poor business'."

of some interest on an additional facet of Mr. Keating's views when the Tidelands Oil controversy is approached. In this regard, the New York legislator voted consistently (as indicated by roll call votes) against proposals to turn full ownership of oil-rich off-shore areas over to adjacent states.<sup>23</sup> Even contrary to the announced views of Mr. Eisenhower on the matter, Keating declared:

I have no right to vote to give away this federal asset to any state or any group of states, to any individual or any group of individuals, ...I look upon the members of this Congress as trustees of a tremendous national inheritance which is their obligation to preserve in the interest of the American people.<sup>24</sup>

Attempts to curb federal influence over natural gas interests likewise brought similar reactions from Congressman Keating. In this case, the Republican legislator again chose the side of federal control when in 1950 the Kerr

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Roch. T. U., June 2, 1952, p. 29.

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Cong. Rec., 80 Cong., 2 Sess., (April 30, 1948), p. 5155, (HR5992);

Cong. Rec., 82 Cong., 1 Sess., (July 30, 1951), p. 9206, (HR4484);

Cong. Rec., 82 Cong., 2 Sess., (May 15, 1952), p. 5251, (SJ.RES.20).

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Roch. T. U., May 19, 1952, p. 20. The above excerpt is a direct quotation published from a WHEC broadcast the previous day;

Cong. Rec., 83 Cong., 1 Sess. (Mar. 30, 1953), p. 2571, records an amendment proposed by Keating for the Tidelands bill which would extend state jurisdiction but not a state's taxing rights to the disputed tidal areas.

Natural Gas Bill passed Congress (In 1947 and 1949 he had voted similarly).<sup>25</sup> According to Mr. Keating, this bill which would exempt independent gas producers from regulation by the Federal Power Commission was "...perhaps the most iniquitous and wicked attempt of all in the last Democratic Congress!"<sup>26</sup>

Concerned, probably both by the method by which Democrats had "...rammed the bill down our throats,"<sup>27</sup> as well as by the feeling that it would have meant higher prices for consumers, Keating wired the President to ask that the bill be vetoed.<sup>28</sup> When, two weeks later Mr. Truman did so, the way was open for Congressman Keating to gain a fourth chance to oppose the measure. In 1955 his last (roll call vote) opportunity on this question arrived and he cast his fourth consecutive vote against unrestricted operation by independent gas producers.<sup>29</sup>

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<sup>25</sup>  
Cong. Rec., 80 Cong., 1 Sess., (July 11, 1947),  
 p. 8751, (HR4051);  
Ibid., 81 Cong., 1 Sess., (Aug. 5, 1949),  
 p. 10871, (HR1758);  
Ibid., 81 Cong., 2 Sess., (Mar. 31, 1950),  
 p. 4567, (HRES.531);  
Ibid., 84 Cong. 1 Sess., (July 28, 1955),  
 p. 11930, (HR6645).

<sup>26</sup>  
Roch. Dem. Chron., Nov. 6, 1950, p. 2A.

<sup>27</sup>  
Roch. T.U., April 3, 1950, p.7.

<sup>28</sup>  
Ibid.

Private Enterprise in General and its Relationship to the Federal Government. In addition to the examples already cited in this chapter, there are numerous indications which may be of value in further clarifying the Keating philosophy regarding federal influence in what at one time had been non-government affairs. One such indication may be found in a speech delivered by the Congressman before the Washington D.C. Chamber of Commerce.

At this time while supporting the contention that the Sherman Anti Trust Act is rightly called a "Charter of Freedom" for American enterprise, he noted that there was little practical difference between a government which fixed prices or industries which did so:

Recognizing as I do the necessity for government intervention to stabilize economic conditions in times of national crisis, I maintain that in normal times dictation and domination either by government or by combinations of large business entities, are fraught with peril to the maintenance and strength of a free and vigorous economy.<sup>30</sup>

On another occasion he developed a corollary to this by telling an American Trade Association meeting, if "captains

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Supra footnote 25 chapter II.

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Roch. T. U., April 28, 1952, p. 8. This news article quotes Mr. Keating directly in discussing his speech before the Chamber of Commerce audience.

of industry" permit "new abuses ...to fasten themselves on our economic life" to the endangerment of the public interest, "clamor naturally and justifiably will arise for the enactment of new and stricter laws."<sup>31</sup> Abuses, he said, "inspire restrictive legislation".<sup>32</sup>

In relation to the government's role regarding financial support for private businesses, Congressman Keating seems to have approached matters armed with no categorical rule except to judge each proposal on its individual merits. For example, he labeled an appropriation bill to finance installation of rural telephones a "...new and additional form of government subsidy at the expense of every pay envelope".<sup>33</sup> "I am not sympathetic to this program," he said, pointing to the fact that the subsidized companies would be competing with existing ones which were not government subsidized.<sup>34</sup>

However, sometime later he supported, "... with

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Ibid., Mar. 21, 1953, p. 9. From a speech Mr. Keating delivered in Washington a short time before this date.

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Ibid.

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B.P. Post, April 9, 1953, p. 6. The statement appeared as part of a column written from Washington under Mr. Keating's name.

34

Ibid.

enthusiasm" a bill providing temporary financial assistance for the propose of encouraging "...our ailing railways" to carry out currently suspended capital improvements and maintenance programs. <sup>35</sup> Likewise, when convinced at one point that subsidizing a tin smelting plant in Texas was in the nation's interest, he supported the appropriation for it willingly as the following statement may indicate:

Though I am very much opposed to the government's getting into private industry and manufacturing, as a general rule, I concurred in a resolution which will extend the operation of the only tin smelter in the United States which the government has been operating for some time...<sup>36</sup>

His support was given, the Congressman said, because tin is important both for defense and peaceful uses. Too, this plant, he noted was not in competition with private suppliers of tin, but rather produced only for government stockpiling. <sup>37</sup>

Conversely, however, Mr. Keating's willingness to extend federal aid did not seem to reach far enough to benefit the mining industry. In 1958 he voted against a

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B.P. Post., July 17, 1958, p. 5;

Ibid., July 10, 1958, p.8;

A suggestion is made earlier (B.P. Post., July 3, 1958, p. 4.) that Keating's support for the railroad aid was influenced by the economic recession.

36

Ibid., July 29, 1954, p. 7.

37.

Ibid.

bill to "stabilize" mines and mining,"<sup>38</sup> as he had done on similar bills when they had arrived for House action in 1949 and 1950.<sup>39</sup>

Summary. In this chapter the topic of federal influence over aspects of the nation's economy has been discussed from several directions. On the basis of this discussion, it may be concluded that Mr. Keating saw the "invasion" of the private enterprise domain as permissible in specific cases where dictated by public need. However, in justifying federal intervention for special needs, the Congressman seems to have been reluctant to relinquish little more than temporary control to the government.

An exception to this generalization has been noted in regard to the natural gas industry over which Mr. Keating voted to place the permanent control of the Federal Power Commission. Somewhat similarly, a rather sharply defined dispute over the rights of states in relation to off-shore oil fields found him again favoring the view that the federal

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<sup>38</sup>  
p. 18963, Cong. Rec., 85 Cong., 2 Sess., (Aug. 21, 1958), (S4036).

<sup>39</sup>  
p. 14803, Ibid., 81 Cong., 1 Sess., (Oct. 13, 1949), (S2105);  
p. 16547, Ibid., 81 Cong., 2 Sess., (Mar. 16, 1950), (S2105).

government had a natural right to control such treasures.

In the next two chapters, matters of domestic finance will be more directly approached than has been attempted in this one. Specifically, Chapter III will be constructed around the publicized efforts of Mr. Keating to either prune government spending or at least match the spending as nearly as possible with the income. A rather heavy emphasis on this phase of the Keating record will be made, not to suggest that he approached every financial proposal with a jaundiced eye but to reflect as accurately as possible that emphasis given to the constructing of this, an apparently significant facet in the legislative image of Congressman Keating.

## CHAPTER III

### BALANCING THE FEDERAL BUDGET

President Truman, writing memoirs of his White House years, looked beyond Pennsylvania Avenue at one point and leveled a critical eye on Capitol Hill:

Too many Congressmen during my Administration heeded the traditional slogan of cynical politics: "Never vote against an appropriation, and never vote for a tax increase." It might be one way to get re-elected, but is also a sure way of getting the country into financial difficulties.<sup>1</sup>

Kenneth B. Keating was a Republican, elected to the House six times by sizable pluralities, and had made his entrance as a freshman Congressman in the Truman-labeled "Do-nothing Eightieth Congress." These facts alone might have placed him within range of the former President's critical gaze, but later studious efforts by Keating in that partisan "school" on the "Hill" would likely remove portions of remaining Truman endearment for him.<sup>2</sup>

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<sup>1</sup> Truman, Harry S. Years of Trial and Hope. (Vol. II of Memoirs by Harry S. Truman. 2 Vols. Garden City, New York: Doubleday & Company, Inc., 1956), p. 41.

<sup>2</sup> No evidence has been discovered in this study to suggest the existence of specific Truman feelings either directed for or against Mr. Keating. The above implication is based on material discussed in several later chapters which seems to indicate the likelihood that such feeling did indeed exist.

It does seem apparent though, that aside from possible differences due to party loyalties, a significant philosophic difference between Congressman Keating and the Democratic Administration, regarding government spending did exist. And it is not unlikely that this difference of opinion offered fertile opportunities for political gain for the Upstate Representative whose constituency showed such a heavy Republican lead in registration.<sup>3</sup> As a matter-of-fact, the issue perhaps most emphasized during his successful 1946 attempt to unseat the Congressional incumbent in his district was the relative proximity of the opposition party to socialist economic principles.<sup>4</sup> In this regard, he emphasized the need for a Republican victory which could represent, he felt, a "return to common sense and businesslike administration."<sup>5</sup>

Without attempting to debate the validity of any Keating claim to a standing among House economizers, this chapter will explore numerous examples which seem to indicate what he must have meant by this "businesslike administration"

<sup>3</sup> Roch. T. U., Feb. 4, 1946. p. 1. In Monroe County as a whole there were 140,408 registered Republicans and 32,680 Democrats.

<sup>4</sup> Supra p. 8; Also, Roch. Dem. Chron., Sept. 10, 1946, p. 15.

<sup>5</sup> Roch. Dem. Chron., Nov. 2, 1946, p.14.

phrase. Spending cuts will be emphasized herein, not to convey the impression that this was the total outlook reflected from Mr. Keating's fiscal voting, but rather to examine the possibility that a continuing interest in balancing the budget was reflected as a major tenet in his philosophy during his twelve years of service in the House of Representatives.

Balancing the Budget - First Phases. Once inside the halls of Congress, the Upstate Republican seems to have approached the topic of spending with an air of concern. "National defense without a sound economy is a 'hollow shell' destined to collapse under the first strain of armed conflict or subversive attack," said Keating at one point.<sup>6</sup> He proposed at this time, that we find a way to drastically cut government expenditures, balance the budget, start paying on the "huge national debt", and by so doing find some relief for "our overburdened and harassed taxpaying people".<sup>8</sup> "The spending and taxing policies of our government over recent years cannot continue if this nation is to remain strong,"<sup>9</sup> he declared.

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<sup>6</sup> Roch. T. U., April 5, 1947, p. 2A.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

The Eightieth Congress (First Session) did cut 4.4 billion dollars from the Truman budget and Keating praised the efforts that eliminated 300,000 persons from the government payrolls, therefore helping to make the cut possible.<sup>9</sup> He said;

We must always remember that only by reducing the expense of piloting the ship of state can this country provide for reducing the burden of the harassed and oppressed taxpayers. 10

It may be of interest to note at this point, that only a few months earlier, however, the Congressman had voiced a protest over the discharge of 1400 border and port police from the Custom Service "Due to alleged House cuts in Appropriations."<sup>11</sup> He accused Truman and Treasury Secretary John W. Snyder of "purposeful emasculation of an essential service" and said they were "hanging onto all the chairwarming jobs in Washington while dismissing those out in the field who are

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Roch. T.U., Oct. 25, 1947, p. 20.

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Ibid.

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Ibid., Mar. 27, 1947, p. 20. These discharges were apparently not finalized. Later (Ibid., Nov. 18, 1947, p. 15), Keating is quoted as attacking Secretary Snyder for the action of a subordinate "last spring" in staging a "propaganda campaign against appropriation cuts ... by sending out dismissal notices to a large number of border patrolmen and other personnel." No specific details are included in this later report, but presumably this is either the same issue or a related one to that raised in March.

actually doing the work." 12

If there was a single concerted drive around which the image of a budget-conscious Congressman might be erected for Mr. Keating, it likely could be found in the early months of 1950. He had that year started the Congressional session with an announced reservation about Mr. Truman's State-of-the-Union Message request for additional sources of revenue. "In my book," he said, "take-home pay is now subjected to all the deductions it can stand." 13

A few days later he said that Truman's new budget called for one of three alternatives; It would either mean; (A) a tax hike; (B) a second consecutive year of spending five billion dollars more than we took in; or (C) a cut in government expenses. "We should cut our cloth to fit the pattern," he concluded, "and live within our income...." 14

In these sentiments the Congressman was not alone

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Ibid., Mar. 27, 1947, p. 20.

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Ibid., Jan. 5, 1947, p. 2.

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Ibid., Jan. 10, 1950 p. 8;

The Congressman was described in another press report as essentially repeating this appraisal of the Truman budget and his choice of alternatives in a radio forum apparently conducted with some fellow Congressmen and broadcast over WCAU in Philadelphia. Local coverage of the forum appears in Roch. T.U., Feb. 15, 1950, p. 9.

for Democrats as well as Republicans were described as likewise favoring spending cuts of significant proportions. Soon, newspapers heralded the start of what seems to have been a major economy drive in the House.

The Economy Bloc. At this time, Keating became one of several Congressmen labeled in the local press as "The Economy Bloc", who gained periodic front page attention for efforts toward "cutting the cloth". "It's about time that there was some obstinancy," Keating was quoted as saying. "We must certainly scrutinize suggested expenditures with a most critical eye," if the nation is to avoid the "poorhouse".

As the drive progressed, he declared, "The Federal Treasury is not a bottomless pit out of which we can continue to siphon off money to subsidize this, that or the other part of our economy without facing the day of reckoning." The people simply must be aroused, Keating said. High federal spending means high taxes, and we are already subjected to such a variety of "taxes hidden so deeply that no one can

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Roch. T. U., Mar. 11, 1950, p. 1.

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Ibid.

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Ibid. A headlined story "Demands for Economy Mount on Heels of Wadsworth Talk" and another appearing on the same page, "Democrats, G.O.P. Back Call to Help Stem Tide of Federal Spending", show to some degree, the tone of the economy movement. Ibid. Mar. 11, 1950, p. 1.

unearth all of them". In this regard, he declared that,  
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 "...there are at least 100 hidden taxes on an egg".

Correspondingly, Rochester's two major newspapers began including daily among their pages a coupon entitled "League of Obstinate Men & Women"; to be clipped and sent to the individual's congressman. A brief message on it demanded economy in government, and soon Mr. Keating's Washington office reported that it was "swamped" by the flood of coupons.<sup>19</sup> The Congressman, in an action described as being contrary to his usual policy, responded with a form letter which said:

I certainly join in your wish for a solvent America. I believe with Congressman James W. Wadsworth that every bill that will increase the future financial commitments of the federal government must be scrutinized with unusual care in the light of the red ink figures which we now face.<sup>20</sup>

I am glad to have your views in this regard and shall continue my efforts in every way to curb extravagances — although as you can well imagine this is an uphill fight in the face of administration opposition.<sup>21</sup>

Congressman Keating was credited by House Republican Leader Joseph Martin with being a charter member of the

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Ibid. Mar. 20, 1950, p. 19.

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Ibid. April 6, 1950, p. 15. Keating was quoted as saying at this time that he had received five thousand coupons.

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James W. Wadsworth, Jr. was a Republican Representative from New York's Forty-first District.

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Roch. T.U., Mar. 21, 1950, p. 1.

economy campaign (Congressman Wadsworth was described by Martin as having "inspired" it), and seems to have made some effort to deserve such mention.<sup>22</sup> Cutting appropriation measures, however, seems to have been only one of the methods chosen by Congressman Keating to balance the budget. During this "Economy Bloc" attempt, for example, he submitted three particular bills which he described as potentially economizing in nature. These approached the Federal Treasury from different directions.

First, the Congressman repeated a bill from his unsuccessful 1949 list, which would eliminate the excise tax on photography equipment. The United States Treasury, Keating claimed, could gain by such action because it would mean freeing the photography industry from "shackles." These taxes, he said, "...have passed the point of diminishing returns and are actually costly to the government to continue in effect."<sup>23</sup>

The second approach would have initiated an amendment

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Ibid., Mar. 17, 1950, p. 1; A list of Mr. Keating's economizing efforts for a two month period appeared in Roch. T. U., April 3, 1950, p. 5.

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Ibid., Mar. 4, 1950, p. 2. According to Keating's statement, Rochester — home of Eastman Kodak, had about sixty-five percent of the entire photographic industry's working force at this time.

procedure for the United States Constitution so that the President might be granted the right to veto separate items in an appropriation measure while signing remaining portions of the bill into law. According to Mr. Keating, with this item-veto power in a President's hands, noteworthy savings could be made in every session of Congress.<sup>24</sup>

The third of Keating's economy approaches was a bill submitted to amend the Clayton Antitrust Act in such a way as to permit the United States Government to sue for losses in cases where illegal price fixing forces the government agencies to pay unduly high prices for merchandise. The Congressman alluded to a "...significant percentage" of identical bids involved in recent Defense Department Purchases of nearly three billion dollars worth of goods where sealed bids and negotiated contracts were used. If the Government were legally given the rights to sue for damages (similar to what a person has) where attempts to defraud could be proven, Keating implied, the substantial deterrent provided against price fixing would result in a notable

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Although not the only person to think of the item veto, Congressman Keating seems to have been among its most consistent advocates. The records of Congress indicate that he submitted bills to this effect in 1950, 1953, 1957, and 1958.

saving of taxpayers' money.<sup>25</sup>

As may sometimes be the case, the degree of success attained by this 1950 economy drive is difficult to determine. On May 11, 1950 it was said to be Congressman Keating's opinion that the success of the House economy faction had resulted in a reduction in spending by more than a billion dollars already.<sup>26</sup> This declaration, according to the roll call voting records, encompassed among the variety of other things efforts by Keating to defeat: (A) appropriations for CARE;<sup>27</sup> (B) an amendment to increase funds for hospital construction;<sup>28</sup> and perhaps to be noted with a tinge of irony, (C) a bill early in the year to provide economic aid to Korea.<sup>29</sup>

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<sup>25</sup>  
Cong. Rec., 81 Cong., 2 Sess., (July 17, 1950), P. 10441.

<sup>26</sup>  
Roch. T.U., May 11, 1950, p. 8.

<sup>27</sup>  
"Cooperative for American Remittance to Europe Inc." The bill (HR5953) would have authorized the Secretary of State to allot funds for use in "...technical, scientific and professional publications and educational and scientific equipment for libraries and institutions abroad." Cong. Rec., 81 Cong., 2 Sess., (Mar. 1, 1950), p. 2591.

<sup>28</sup>  
Cong. Rec., 81 Cong., 2 Sess., (May 10, 1950), p. 6842. The vote was on the Gore Amendment to HR7786.

<sup>29</sup>  
Congressman Keating voted "yea" to a motion to recommend the Korean Aid Bill (HR5330), Ibid., 81 Cong., 2 Sess.; (Jan. 19, 1950), p. 655. When this attempt failed, he voted to eliminate two thirds of the appropriation, Ibid., 81 Cong., 2 Sess., (Feb. 9, 1950), p. 1748; but this also failed. He then voted against passage of the bill. Ibid., (Feb. 9, 1950), p. 1749.

Korean Hostilities and a Balanced Budget. The difficulty in determining the success of the economy drive, was of course, compounded when in June of 1950 hostilities suddenly erupted in Korea. The sharp increase in defense expenditures which followed this outbreak would soon bring the nation into a postwar period of record spending. Hopes for slashing excise taxes on cameras etc. were laid aside, and in their place came proposals such as Mr. Keating's to initiate an excess profits tax.<sup>30</sup> The following year he joined colleagues in approving a marked increase in income taxes to better meet increasing expenditures.<sup>31</sup>

With this added revenue, Mr. Truman was to point out later that the nation came within one half billion dollars of meeting the budget during the fiscal years of 1951 and 1952.<sup>32</sup> Perhaps to some degree, therefore, this could be said to

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Roch. T. U., Sept. 13, 1950, p. 30.

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Cong. Rec., 82 Cong., 1 Sess., (June 22, 1951), p. 6998, (HR4473).

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Truman, Harry S. Years of Trial and Hope. (Vol. II of Memoirs by Harry S. Truman. 2 Vols. Garden City, New York: Doubleday and Company, Inc., 1956), p. 37. He pointed out, however, that: "after June 1952 as defense expenditures continued to rise, we began to depart seriously from the pay-as-you-go policy," and budget deficits of about six billion and ten billion dollars were anticipated for the next two years.

approach what Mr. Keating would have called "success" for these particular economy efforts.

However, neither the Korean hostilities themselves, nor the increased taxes to meet their expenses appeared to have seriously altered the "pattern" of Keating economizing if such a pattern did exist.<sup>33</sup> In the second session of the Eighty Second Congress, for example, after the first impact of Korean hostilities had passed, he submitted a proposal to tax the President's \$50,000 (presently tax free) expense account, and asked that the Hoover Commission be recalled for a special study to eliminate wastes in government spending.<sup>34</sup> In the remaining months of the Truman Administration the Congressman also gained press attention with more budget-cutting efforts.

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It is felt by the author that insufficient evidence has been discovered in this study to categorically label these efforts as a pattern of budget-cutting. The number of "routine" spending proposals which were interspersed with the cuts cited in this chapter, and which seemed to have readily gained Keating's support, would it seems, warrant a qualified use of the term "pattern" in this case, if at all.

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Roch. T. U., Feb. 8, 1951, p. 12. The \$10,000 tax free expense accounts of the Vice President and the House Speaker, as well as the \$2,500 tax free accounts of the Members of Congress were also included in the Keating bill;

Roch. T. U., Feb. 26, 1951, p. 4;

Keating's name was also associated with the idea of a new Hoover Commission several times in the Rochester papers between May 19, 1949 (Ibid., p. 15) and May 14, 1953 (Ibid., p. 15).

In this regard, a Keating amendment to reduce the appropriations for the Bureau of Public Assistance by \$136,000 passed the House in April 1951.<sup>35</sup> The next month he joined a successful effort in the House to cut 11.2 percent from the Department of Interior's budget of \$559,286,000.<sup>36</sup> And while so doing, he gained House acceptance for his amendment to the measure which was intended to save federal funds by prohibiting the Bureau from building duplicating public utility lines in areas where private utilities have agreements to transmit government-generated power.<sup>37</sup>

Earlier in the year Keating had clashed with the thinking of President Truman over a challenge reportedly made by the President daring Congress to cut his budget. Congressman Keating called it a demonstration of the "Truman tendency to put his pique ahead of reason". "The President," he said, "should welcome rather than spurn the efforts to reduce non

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The Bureau had requested \$1,600,000 in order to operate during 1952. This amount was reportedly intended to increase their staff from 273 to 313 workers. The staff was composed of 264 in 1950, and Keating told colleagues that indications were that the Bureau's work load would be lightened in 1953. Ibid., April 19, 1951, p. 13.

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Ibid., May 3, 1951, p. 5.

37

Ibid.

defense spending".<sup>38</sup>

A Spectrum of Budgeting-Reducing Endeavors. Economizing efforts by Ken Keating during the months preceding and including the Korean hostilities were not the only ones in his House career. As a matter of fact, other than this, the Keating efforts to reduce spending are sufficiently numerous to have carved a readily discernible trail across the twelve years of local press reports. This lengthy list of opposition votes covers a broad spectrum of spending proposals reaching not only to the vulnerable array of public works projects but also it includes items such as an antipollution bill and an appropriation measure for the Selective Service System.

Perhaps one of the more pointed examples of him in the role of an economizer occurred in 1955 when most members of Congress seemed to have been convinced that they should raise their own pay. Although only a short time before, he had voted to raise federal employees' pay, he now voted "nay" both on the House bill to raise his own pay from \$15,000

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Roch. T. U., Feb. 9, 1951, p. 12;

One of the few defense bills opposed by Keating would have given the President "supreme Power" (according to the Congressman) over the location of the defense plants. This, the Congressman said, was a "...suggestion for executive power and authority completely at variance with all our tradition." Ibid., July 2, 1951.

to \$25,000 and the Conference Report which suggested a figure  
 of \$22,500.<sup>39</sup>

When in 1956 another measure to increase federal  
 spending — this one relating to water pollution, arrived  
 on the House floor, Congressman Keating's actions again offer-  
 ed a glimpse into his philosophy on government and spending.  
 Opposition in the House to this particular bill was said to  
 center around a provision to spend \$500 million in federal  
 funds to help states plan and build sewage disposal plants.<sup>40</sup>  
 In regard to this proposal, he voted "yea" when an attempt  
 was made to recommit the measure, and "nay" when the bill  
 came up for passage.<sup>41</sup>

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Cong. Rec., 84 Cong., 1 Sess., (Feb. 16, 1955),  
 p. 1588, (HR3828); Ibid., (Mar. 1, 1955), p. 2265;  
 An editorial in a local paper (B. P. Post.,  
 Mar. 10, 1955, p. 2.) quotes Keating as saying that it looks  
 "stupid" for Congressmen to raise their pay and suggest a  
 twenty dollar rebate to taxpayers in the same breath and  
 on top of this vote a raise to mailmen without raising funds  
 for it.

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Congressional Quarterly Almanac, Vol. XII, 84 Cong.,  
 2 Sess., (Congressional Quarterly Inc. 1956, Washington D.C.),  
 p. 573. Congressman Clarence Brown (R. Ohio) is quoted here,  
 while discussing the use of federal funds to build sewage  
 disposals, as saying; "Remember, if you adopt this policy, it  
 would be a return P.W.A. days of the depression and would  
 of course favor certain communities only".

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Cong. Rec., 84 Cong., 2 Sess., (June 13, 1956),  
 p. 10277, (HR9540);  
Ibid.

Comments from the Congressman have not been available to provide elaboration as to possible implications on this particular matter. However, based on the fact that pollution has grown since into what seems to be a major national problem, a researcher with the advantage of "hindsight" might consider Mr. Keating's opposition to this measure in 1956 as one of the most notable surprises discovered in this survey of his House career.

As might be assumed, the image of Congressman Keating — the Economizer actually had begun to be molded early in his House career. On only his second day in Congress he labeled "inflation" the number one problem of the day, and before the end of the session he had strongly disagreed with Administration fiscal affairs a number of times including once when he accused the President of playing politics with the "meat and bread of our tables".<sup>42</sup> During this session the Upstate Republican voted to place a ceiling on government appropriations for that year, presumably to help curb the Administration's spending urges to which Keating seemed to have attributed part of the inflation problem.

By the midway point in the Eighty First Congress, Keating was able to tell a constituent; "I voted, without

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<sup>42</sup>

Roch. T. U., Dec. 16, 1947, p. 8.

a single major exception so far as I know for every amendment to appropriation bills which reduced expenditures and against every one which increased them".<sup>43</sup> By this time, among the many bills which his declaration included was one successfully enacted after being offered by Keating himself. This particular effort halved the Selective Service budget, leaving only a skeleton draft organization intact during the pre Universal Military Training period when no conscription program was under way.<sup>44</sup>

A second attempt of this nature, however, was less successful. This effort came as Keating opposition to a proposal for increasing funds to be used by Congressmen for office expenses. The Upstate Republican said at this time:

I've had to dig into my own pocket to maintain my congressional offices...but I voted against this proposal because I believe there should be economy in government operations. 45

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Letter from Keating to Ralph W. Peters, Jan. 5, 1950, Keating Papers.

44

This particular amendment to HR6401 was carried by a non roll call vote. His recorded votes on this bill's passage and that of its Conference Report (both "yea" votes) appear in Cong. Rec., 80 Cong., 2 Sess., (June 15, 1948), p. 8347; (June 19, 1948), p. 9276.

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Roch. T. U., June 15, 1946, p. 6. Another bill of interest to many congressmen which Keating opposed was described as providing, "a new postoffice or the equivalent" in each Congressional district. Roch. T. U., May 24, 1949, p. 2.

Of the numerous recurring appropriations measures for specific projects, some in particular seem to have fared especially poorly as far as support from the Upstate Legislator is concerned. In this regard, appropriations efforts directed toward the Tennessee Valley Authority seems to have acquired little in the way of aid from Mr. Keating over the years. Roll call records indicate that on attempts in three different years to gain House approval to such proposals, Mr. Keating opposed them each time.

Similarly, in 1957 he labeled the Democratic majority in the House, "wild" spenders and on four out of the first five roll call vote amendments to an Executive Department appropriation bill, the Congressman voted with those seeking reductions. In addition, the records of Congress show a lengthy list of bills which either died with Keating's help, or passed over his negative vote.

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<sup>46</sup>  
Cong. Rec., 80 Cong., 2 Sess., (May 11, 1948), p. 5623. At this time he voted "nay" to an amendment for recommitting the bill (HR 6481) with instructions to increase the funds. The vote on actual passage was a non roll call one; <sup>47</sup>  
Ibid., 82 Cong., 2 Sess., (Mar. 21, 1952), p. 2699. On an amendment to an Independent Offices Appropriations bill (HR7072), Mr. Keating voted to delete funds for T.V.A. <sup>48</sup>  
Ibid., 85 Cong., 1 Sess., (Aug 7, 1957), p. 13929. Keating voted to recommit HR9131 with instructions to reduce T.V.A. funds.

<sup>47</sup>  
Ibid., 85 Cong., 1 Sess., (April 4, 1957), p. 5162 -- 65, (HR6287).

<sup>48</sup>  
 These included Deficiency Appropriation bills in five different years.

But one particular fund cut with which Mr. Keating was particularly pleased was the first major appropriation bill of the first session in the Eighty Third Congress. At this time he reported to constituents that the House had cut; "...a whopping sixty-one per cent from ... an appropriation in the Truman budget."<sup>49</sup> Earlier his personal attempts to save on federal spending by halting some of the "useless publication" put out by federal agencies (usually on the best paper, he said) seemed to have gained little success.<sup>50</sup>

On a bill referred to as "Frying Pan Arkansas Project" (related to developing a portion of the Colorado River) Mr. Keating's opposition was more successful. In helping to defeat the bill, he pointed out that it would have, "liberalized the general policy on irrigation loans so that the irrigators, in effect, would never have to pay back the cost advanced to them out of the Treasury". He added the opinion that this bill would have cost New York taxpayers more than

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B.P. Post., April 30, 1953, p. 6. This excerpt is found in a column signed by Congressman Keating.

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Ibid., Feb. 12, 1953, p. 6 (Again the excerpt is from the Keating column). Later (1957), he voted against spending \$100,000 to print a brochure about the Capitol to distribute among constituents. "It's a frill," he said in his column (B.P. Post., Sept. 5, 1957, p. 3.).

sixty million dollars and would have given them nothing in  
 51  
 return.

In supporting what was to be a successful attempt to increase reenlistment rates of skilled technicians in the armed forces, Keating again felt that he was saving taxpayers' money. While attempting to justify this stand, he pointed to the modern armed forces, and said that holding the necessarily skilled people in the service by bonuses would be considerably cheaper than training replacements.<sup>52</sup>

In 1957 the Upstate Republican denounced a federal reclamation project for San Antonio, Texas. He called it "... one of the most arrogant and irresponsible money grabs I have witnessed in a long time."<sup>53</sup> He declared that in appropriating money for this project, the "politicals filched \$32 million from American taxpayers",<sup>54</sup> This was, he said, not reclamation but subsidizing for building a city water supply in addition to a \$15 million flood control project

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B. P. Post., Aug. 12, 1954, p. 7. The bill was apparently defeated by a non roll call vote;  
Cong. Rec., 83 Cong., 2 Sess., (July 28, 1954), p. 12453 (H. Res. 626) shows that he voted against it again. Also, Cong. Rec., 84 Cong., 2 Sess., (July 26, 1956), p. 14801 shows that he was paired against a similar bill (HR641).

52

B.P. Post., Aug. 5, 1954, p. 2 (direct quote).

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Ibid., Aug. 15, 1957, p. 31 (direct quote).

already built by the Corps of Engineers which supplies the town water. Speaker of the House, Samuel Rayburn (D. of Texas), Keating said, had "buttonholed" eleven Democrats right on the House floor to change their votes so it would pass.<sup>55</sup>

A few days later, the New York Congressman announced failure in his attempts to kill a \$112,500 appropriation measure for "a boondoggle in West Virginia".<sup>56</sup> Likewise, he registered his vote in opposition to spending \$35,000 for a project that would, he said, amount to six million dollars for building a stadium in Washington D. C.<sup>57</sup>

At one point Keating declared, "Virginia, like Texas, has considerable influence in this Congress".<sup>58</sup> This he noted while explaining his opposition to a bill which would have authorized construction of a tunnel between Washington and Virginia. In this regard he said that it would have cost \$25 million, but "...some of the loudest shouters for economy were found lining up for the project".<sup>59</sup>

At another point in 1958 he said:

Those of us who believe deeply in government economy, in the work of the Hoover Committee and in the

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54

Ibid.

57

Ibid.

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Ibid.

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Ibid.

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Ibid., Aug, 15, 1957, p. 3.

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Ibid., Sept. 5, 1957, p. 3.

principle of getting government out of business suffered a severe setback on the floor of the House this week.<sup>60</sup>

This "reversal" he claimed, had come during consideration of a military public works proposal. Though it was a good bill, Keating said, it included a rider giving Congress a veto over decisions made by the Secretary of Defense if they would terminate or reduce "any commercial or industrial-type" activity by the military. Such a veto, he said would result in a tremendous waste of federal funds since a Congressman in an affected district would not likely permit the Secretary of Defense to remove such contracts. This result, he said, would be multiplied across the nation.<sup>61</sup>

"Rather than looking just at the local interests, in these cases, we must consider primarily the overall picture as it relates to the fiscal integrity...";<sup>62</sup> of the nation, Keating said. A lot of Congressmen talk economy, but when the chips were down on this bill they played politics. "It seemed that more members were interested in playing good politics than they were in saving taxpayers money,"<sup>63</sup> he concluded.

One final example of Congressman Keating's opposition

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<sup>60</sup>

B.P. Post., Aug. 15, 1957, p. 3;

<sup>61</sup>

Ibid.

<sup>62</sup>

Ibid.

<sup>63</sup>

Ibid.

to spending proposals should be mentioned before this chapter ends. This, an appropriation measure for a river project passed the House over Keating's opposition. It was a "money grab of the worst kind," he said, referring to it as a special interest construction of the Yellowtail Dam and Reservoir in Montana. A fair appraisal of the land, he said, had determined that the land was worth \$50,000 total, but the bill provided \$2.5 million for the 6,000 acres. "We do owe special help to our fine Indians," he admitted, but added, "this handout is inexcusable."<sup>64</sup>

Summary — Conclusion. The lengthy list of spending proposals which incurred Keating opposition, covers a broad spectrum of topics and likewise seems to reach into most years of his House career with more than incidental frequency. However, in general the Upstate Republican apparently enjoyed (as might be expected) a more amicable relationship with the spending policies of the Eisenhower Administration than those of the Democratic Mr. Truman.

He registered agreement, for example, with the underlying principle expressed by Mr. Eisenhower that:

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B.P. Post., Feb. 27, 1958, p. 8.

...the problem facing ... [the Eisenhower Administration] is that of keeping the government in its proper role of protecting the public interest; of providing a climate in which private enterprise may function at its best and of charting a course by which all elements of a free economy may follow. 65

Keating's agreement with President Eisenhower's fiscal philosophy, however, did not preclude some opposition to spending proposals during the 1953 — 1958 span. For the most part, though, he found the "excessive" spending practices of majority Democrats a convenient target toward which to direct the blame.

It can doubtlessly be concluded that his most significant concerted attack (to claim the public's attention) regarding spending cuts came in the twilight years of Mr. Truman's public career. The fact that this Keating attempt, however, virtually accompanied heavy Republican assaults from other directions as well as these upon the Truman Administration may serve to raise a question as to whether the major intent of this effort was wholly economic. 66

In a similar vein, it may be noted that a sizeable variety of spending cuts advocated by Mr. Keating revealed little direct relationship to his constituency other than a

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Roch. T. U., Jan. 20, 1953, p. 21.

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See later chapters on Investigations, etc.

possibility of altering taxes. Of course, such a willingness on the part of a Congressman to reduce expenditures directed toward another Congressional district can be less than surprising. However, a concentration of such efforts accompanying a near exclusion of cuts affecting his own constituency may affect the validity of a possible Keating claim to a place among the higher ranks of the "true conservatives".

By the same token, the impact of Congressman Keating's legislative commitments toward balancing the budget may have proven significant. For example, a sufficient volume of such Keating efforts has been explored in this chapter to convey the impression that economy was indeed a major emphasis during his twelve years in the House. In numerical terms alone, the impact can neither be denied, nor by the same token can it be dismissed because of a possible proximity between some such attempts and desired political goals.

For the purpose of this survey of the Keating Legislative Image, however, a further conclusion, perhaps more noteworthy than others, relates to the recurrence of press reports on the subject. In this respect, it is easy to conclude that the comparative frequency with which the name "Ken Keating" was favorably associated in the local press with

budget-cutting proposals offered his public ample grounds for envisioning him as a fiscally conservative Congressman. Likewise, it might be noted in conclusion that those factors which accumulatively contrived to construct a Keating Legislative Image seem to have assembled the mosaic components of his budget-cutting commitments into one of the two or three major pillars on which much of his House career rests.

In Chapter IV the matter of Mr. Keating's efforts relating to the nation's tax structure will be pursued. This will be the last of the three chapters focusing on the general topic of domestic economy and will be followed by a unit composed of chapters concerned specifically with individual topics within this general sphere.

## CHAPTER IV

### THE TAX STRUCTURE

When Kenneth B. Keating in January 1947 first entered the halls of Congress as part of that wave of exservicemen, he encountered an array of long range national and international issues which in an unprecedented measure would jeopardize much of the future.<sup>1</sup> The seriousness of these affairs was likely apparent to most of these leaders who for years to come would face conditions spawned by post war tensions.

It is possible, however, that all such people would not have agreed with one translation of the 1947 situation offered to readers in Mr. Keating's hometown. This, appearing in a local paper's editorial column stated:

The damage has been done. The destruction wrought. And now it becomes the necessary objective of a new Congress to bring back some order out of the chaos. The low condition in which it finds the ship of state is one which cannot be rebuilt in a day, a year or two years, or even four years. The bungling, the graft, the infiltration of foreign ideologies, the sovereign bureaus, are but titles to endless chapters of waste and mockery of this Republic, the correction of which was mandated to this and succeeding Congresses.

.....  
First things must come first; a sound program

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The list of former servicemen in Congress in 1947 included Richard Nixon, John F. Kennedy and Lyndon Johnson.

must be planned; foundations must be laid again; the structure of a sound economy must be built; harmony, happiness, security and a hopeful future must be fabricated into the design for living; and with all these combined as a goal, nothing can be undertaken loosely and disjointedly. It must be workable....<sup>2</sup>

Congressman Keating "commended" these comments to colleagues for their "consideration" by submitting them into the Congressional Record. Soon afterwards he embarked on what may be described as his efforts to "lay again the foundation" and erect a structure of a "sound economy" for the nation.

Such efforts by the Congressman were extended in many directions, some of which have already been discussed in previous chapters. Tax revision in particular is probably noteworthy as a consideration especially basic during the years when the nation's economy would be forced into a continuing accommodation with cold war realities. In conjunction with Keating's mentioned philosophies on the topics of government influence over the nation's economy and balancing the federal budget, his views on the nation's tax structure may contribute much to the composite Keating image as it relates to the field of domestic economy.

Therefore, an attempt will be made in this chapter to record the legislative commitments made by Mr. Keating in this

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<sup>2</sup>

B. P. Post., Jan. 27, 1947.

particular field. Presumably, a Congressman's approach to his nation's tax program can provide a revealing glimpse into what he considers to be an adequate structure for a sound economy. Hopefully such a glimpse will be obtained in this chapter.

Initial Tax Revision Commitments. In terms of the nation's tax structure, Mr. Keating seems to have entered Congress convinced, like many members of his party, that an income tax cut was in order. But while agreeing with those who criticized Mr. Truman's reluctance to encourage such a reduction, Congressman Keating went so far as to also question the thinking of some fellow Republicans on the matter.

The Upstate Legislator, for example, registered opposition to a proposal by the Chairman of the House Ways and Means Committee, Harold Knutson (R. Minn.), who announced a plan for a twenty per cent (across-the-board) tax cut.<sup>3</sup> Instead, Mr. Keating favored his own proposal which would reduce surtax rates from seventeen per cent to ten per cent. The resultant savings from this, he said, could amount to a tax cut as high as thirty-five percent.<sup>4</sup>

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Roch. T. U., Mar. 19, 1947, p. 14.

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Ibid., Mar. 12, 1947, p. 3. A \$2,000 to \$4,000 annual income would qualify for a thirty-two per cent cut. A \$20,000 to \$26,000 income would gain a twelve per cent cut.

Some attention was focused on Keating's efforts to reduce taxes by local papers, one of whom described the plan as a "break to all taxpayers".<sup>5</sup> Two weeks later, the local Congressman received press credit for some alterations made on the Knutson Plan prior to its recent transfer from committee to the House floor.<sup>6</sup> The primary change involved seems to have been inclusion of a graduated tax cut provision starting from a twenty per cent cut and going as high as thirty per cent. Keating was said to have hailed this change as a "moral victory".<sup>7</sup>

The following week when floor debate began on the tax cut bill, Keating supported the party measure even over the protest of a colleague who implied that excessive influence from the majority had killed the Keating bill. Congressman Keating was said to have defended Republican House Leader, Charles Halleck and said that although he himself had:

...fought with all the force and sincerity I could muster ... I recognize the fact that legislation is a matter of give and take. Neither the majority leader nor anyone else has tried to tell me what to do.<sup>8</sup>

According to one Rochester columnist, Keating had been

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Roch. T. U., Mar. 12, 1947, p. 3.

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Ibid., Mar. 21, 1947, p. 1.

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Ibid.

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Ibid., Rep. Albert Engel (R. Mich.) was the protesting colleague, according to this news item.

one of four Republican Representatives fighting for a "Little Man" tax cut. He had, the writer claimed, insisted earlier on carrying the matter to a floor fight if necessary, but was counseled against it by Mrs. Katherine St. George, an Upstate Republican cohort.<sup>9</sup>

On the day after the House had passed this original Republican tax cut bill, Mr. Keating submitted an additional income tax cut proposal which would, one paper said, bring "relief to the small wage earner".<sup>10</sup> This new proposal would permit deductions for carrying charges and interest from installment buying. Also, it would increase the allowances for medical expenses; permit expenditures for transportation to and from work to be deducted as well as those expenses incurred for housekeeper or nursery care by a working wife; and finally, the plan would allow deductions for the cost of taking courses which were required in connection with a person's work.<sup>11</sup>

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<sup>9</sup> Roch. T. U., Mar. 19, 1947, p. 14. In addition to Mrs. St. George, there were, according to local columnist Reginald F. Torrey, John Davis Lodge, and Edward A. Mitchell. "None of the four want to be identified as leading any Republican revolt." Torrey wrote.

<sup>10</sup>

Ibid., Mar. 29, 1947, p. 2A.

<sup>11</sup>

Ibid.

But this bill as well as those of the Republicans in general was not destined to succeed in 1947. Two income tax cut bills in this session gained passage as far as President Truman's desk and both died from insufficient votes to override his veto. During this involved process, Mr. Keating voted what could generally be considered to be the Republican Party "line".<sup>12</sup>

As might be expected, the following session of the Eightieth Congress opened, thereafter, with rather partisan appraisals of Mr. Truman's fiscal suggestions. After listening to the annual State of the Union Message, one Upstate colleague of Keating's commented that, "the President seems to have thought of everything but the Navajo Indians".<sup>13</sup>

Keating, himself, reserved critical comments for later except to note that Mr. Truman had turned, "about face on tax reduction".<sup>14</sup>

Near the end of the month, Congressman Keating

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<sup>12</sup>  
 p. 2775, Cong. Rec., 80 Cong., 1 Sess., (Mar. 27, 1947), (HR1); Ibid., (June 2, 1947), p. 6204.  
Ibid., (June 17, 1947), p. 7143;  
Ibid., (July 8, 1947), p. 8468, (HR3950);  
Ibid., (July 18, 1947), p. 9304.

<sup>13</sup>  
Roch. T. U., Jan. 8, 1948, p. 3. James W. Wadsworth Republican Congressman from the Forty-first District.

<sup>14</sup>  
Ibid.

submitted an income tax cut plan which he described as a compromise between Chairman (House Ways and Means Committee) Knutson's 1948 proposal and that one offered by President Truman.<sup>15</sup> At this time, Mr. Keating was quoted as referring to the Truman suggestion of a flat forty dollar per person tax reduction as:

...political demagoguery of the rankest type and a long step toward destruction of the very economic system which has permitted our lower income groups to enjoy a standard of living to which none in the world is even remotely comparable.<sup>16</sup>

In elaborating, the Congressman alluded to the significance a forty dollar tax cut would have to the multitudes assessed \$100 in yearly taxes as compared to a man paying \$10,000 in yearly taxes. His implication appears to have been that the masses would likely repay the President at the polls for their forty per cent tax rebate, but the minority from the aggrieved wealthier class could convey little impact against Truman in terms of votes.<sup>17</sup>

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Roch. T. U., Jan. 23, 1948, p. 10. This proposal seems to have been the same as the one for the previous year.

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Ibid., The President later charged that the tax cut passed ultimately over his veto: "gave 40 % of its tax relief to less than 5% of the taxpayers .... It also advocated the withdrawal of the federal government from the field of inheritance taxation to encourage the creation of tax free havens where persons could establish fictitious residence in order to escape the just taxation of their estates." Truman, Harry S. Years of Trial and Hope. (vol. II of Memoirs by Harry S. Truman. 2 Vols. Garden City, New York: Doubleday & Company, Inc., 1956), p. 74.

Late in the year (1948) after Republicans had finally overridden a veto to enact an election-year income tax reduction, Keating suggested a future improvement. He would, he said, like to see enactment of his former bill providing that personal exemptions for income tax be raised from \$600 to \$700.<sup>18</sup> Needless to say, however, this suggestion fell into the sizeable category of unaccepted ideas.

Later Commitments Regarding the Tax Structure. As noted in other chapters of this survey, an intensification of Mr. Keating's activities may be evident in the Eighty-First Congress compared to those of his two freshman sessions. In terms of the nation's tax structure, he submitted in 1949 and 1950 at least four provisions for change. First, he asked the House to consider his bill permitting income tax credit for private health plans.<sup>19</sup> Secondly, in efforts considerably heralded in the local press, he ( and others ) sought to change the excise on photographic supplies — a tax especially repugnant to the Eastman Kodak interests in

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<sup>17</sup>

Roch. T. U., Jan. 23, 1948. p. 10.

<sup>18</sup>

Ibid., Dec. 12, 1948, p. 16.

<sup>19</sup>

infra Chapter VI.

Rochester which were said to employ approximately 40,000 local people. This desired change, however, did not materialize before the eruption of Korean hostilities and therefore aborted due to the sharply increasing need for revenue.<sup>20</sup>

Following the outbreak of the Korean conflict, a third measure proposed by Mr. Keating (and others) was to provide the nation with emergency revenue through enactment of an excess profits tax.<sup>21</sup> Finally, in a relatively unusual manner for increasing the expenses of the federal government Keating suggested that individual states be permitted to tax certain federal properties within their boundaries.<sup>22</sup> The City of Rochester, he said, was losing \$130,00 in taxes for which the federal government was avoiding payment; "... through the 'use of legalized contrivances'<sup>23</sup>". His proposal was directed primarily at properties owned by the government but leased for manufacturing purposes. It also contained, however, a provision to assess the government for local school taxes where children of federal employees lived on such property.<sup>24</sup>

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cf. ante Chapter III.

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cf. ante Chapter III.

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In addition to these commitments, he also encouraged the broadening of the social security benefits at this approximate time. cf. ante. VI.

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Roch. T. U., July 1, 1947, p. 6A.

An interesting topic for speculation arose in 1951 regarding a suggestion on the federal tax structure submitted by twenty one state legislatures. These state law makers asked Congress to pave the way for the elimination of the Sixteenth Amendment, by calling a Constitutional Convention for the purpose of substituting an income ceiling at twenty five per cent of an individual's income. Congressman Keating was said to have deferred commitment on the matter with the words:

We have a new tax bill before us now which requires all my attention.... The main thing right now is to cut to the bone every dollar of federal spending which is not necessary to insure our survival. 25

The tax bill in question (Revenue Act of 1951) was ultimately passed, and raised income taxes (eleven per cent), corporation taxes (five per cent), and expanded excise taxes on such items as alcohol, tobacco, gasoline, cars etc. 26 on roll call votes Mr. Keating voted first to recommit the

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Ibid.

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Ibid., June 19, 1951, p. 7. Perhaps of some interest to the twenty five per cent ceiling proposal was a (Ibid., Mar. 24, 1950, p. 6.) press report the previous year which showed that ninety per cent of the fifty three million income tax forms received by the Internal Revenue Service showed an annual taxable earnings of less than five thousand dollars. Presumably, few of this number would pay over twenty five per cent in federal income tax.

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One previous news item stated that the average individual had paid seventeen per cent higher income taxes in 1951 than he had in 1950. Roch. T. U., Jan. 16, 1952, p. 8).

measure, but when it came up for passage he voted "yea". Later, when it returned as a conference report, however, he opposed its passage on two separate votes.<sup>27</sup>

In January 1952 Mr. Keating said that President Truman's new budget was "unrealistic" and should be "sent right back to the White House with the demand that the President reduce it."<sup>28</sup> Pointing to what he called Truman's fourteen billion dollar deficit, the Congressman said if this were to be raised by income tax hikes:

...it would mean the complete confiscation of everyone's income above four thousand dollars a year, as well as a terrific cut into all incomes below that figure.

That would annihilate individual initiative. It would spell the doom of the American system of free enterprise.<sup>29</sup>

Tax changes came in for some of Keating's consideration again during the Eighty Third Congress. Perhaps one of the more novel tax changes discussed was contained in an

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<sup>27</sup>  
Cong. Rec., 82 Cong., 1 Sess., (June 22, 1951), p. 6997, (HR4473);  
Ibid., p. 6998; Ibid., (Oct. 16, 1951), p. 13281;  
Ibid. (Oct. 19, 1951), p. 13633.

<sup>28</sup>  
Roch. T. U., Jan. 16, 1952, p. 8. This and the following footnote were excerpts from a news item which quoted the Congressman directly.

<sup>29</sup>  
Ibid. Although the tone of these comments may suggest an unusually strenuous objection to the Truman expenditure proposals, the roll call vote record of this session of Congress reveals about the usual large majority of Keating affirmative votes for the various appropriations bills.

editorial from a local paper and inserted into the Congressional Record by the Congressman. The editorial suggested that since the government still insisted on maintaining the excise tax on woman's purses, in fairness Congress should also place a tax on men's suits on the basis of an assessed amount per pocket.<sup>30</sup>

In a suggestion possibly on a more serious plane, Keating asked the House Ways and Means Committee to let taxpayers deduct either six per cent of the price on items bought on installments or let them deduct the interest on the purchase whichever is greater.<sup>31</sup>

Another tax change supported by the Upstate Representative during the sessions of the Eighty Third Congress would have altered the permissible medical deduction for income taxes from amounts over five per cent to amounts over three per cent, as well as permitting retirees a \$1,200 deduction on the federal income taxes.<sup>32</sup> A second Keating proposal was designed to close a "loophole" by permitting garnishment of federal employees' wages if they failed to pay their taxes.<sup>33</sup>

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B.P. Post., Jan. 22, 1953, p. 1.

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Roch. T. U., June 19, 1953, p. 9.

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B. P. Post., Aug. 19, 1954. p. 6

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Ibid., Mar. 11, 1954, p. 5.

Other commitments by Mr. Keating during 1953 included his support for a six month extension of the excess profits tax and a vote to "temporarily" expand the legal federal debt limit to \$290 billion as requested by the President.<sup>34</sup>

In 1954 Keating helped pass the Excise Tax Reduction Act which lowered comparatively minor segments of that encompassed within the earlier excise tax laws.<sup>35</sup> Too, his support aided passage of the Internal Revenue Code of 1954 which resulted in an income tax cut as part of the provisions of this, the first complete tax revision in seventy five years.<sup>36</sup>

In Mr. Keating's latter years in the House, evidence of efforts on his part toward altering the nation's tax structure seems to be less plentiful than for earlier years. In terms of roll call votes, for example, the records show that Mr. Keating in 1956 voted to extend corporate and excise rates for one year.<sup>37</sup> Except for only a few such

<sup>34</sup>  
Cong. Rec., 83 Cong., 1 Sess., (July 10, 1953),  
 p. 8518, 8517 (HR5898); Ibid., (July 17, 1953), p. 10720.

<sup>35</sup>  
Ibid., (Mar. 3, 1954), p. 3039, 3098 (HR8224);  
Ibid., (Aug. 1, 1953), p. 10902 (H.Res. 361).

<sup>36</sup>  
Ibid., 2 Sess., (Mar. 18, 1954), p. 3564 (HR8300);  
Ibid., (July 28, 1954), p. 12436.

<sup>37</sup>  
Ibid., 84 Cong., 2 Sess., (Mar. 13, 1956),  
 p. 4620 (HR9166).

bills, however, legislatively his concentration seems to have been in other directions. One exception might be his 1956 vote in support of President Eisenhower's \$30.9 billion, thirteen-year highway construction program. Passage of this bill resulted in a raise in federal taxes on tires and gasoline to pay for the project.<sup>38</sup>

Likewise, the Upstate Legislator voted for passage of the Tax Rate Extension Act of 1958.<sup>39</sup> This extended existing corporate and most excise tax rates for one year, but repealed excise taxes on, "transportation of property including coal and oil by pipeline." While there may be reason to think that Mr. Keating was favorable toward the freight interests during a time of economic hardship, he noted that this nationwide recession was not sufficiently severe to warrant a general tax cut. This is, he said, "Too spotty a turndown..." to indicate that such a tax cut is the answer.<sup>40</sup>

Summary. From the comparative flurry of activity in the Eightieth Congress regarding alterations in the nation's

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<sup>38</sup>  
p. 7221, Cong. Rec., 84 Cong., 2 Sess., (April 27, 1956), (HR10660).

<sup>39</sup>  
p. 12503 Ibid., 85 Cong., 2 Sess., (June 27, 1958), (HR12695).

<sup>40</sup>  
B.P. Post, July 3, 1958, p. 4.

tax structure, it seems apparent that a widespread interest existed toward a better accommodation of the nation's tax intake with the taxpayers' pocketbooks. It may be remembered that, in this regard, the Republican Party had moved into a majority of the seats in Congress following an election which had brought from the party a commitment to reduce income taxes. This they accomplished over the protests of Mr. Truman, and in this achievement Mr. Keating's record leaves little to suggest that he was not in accord.

If anything, Mr. Keating's proposals in this Eightieth Congress seem to have been more generous than at least one Republican spokesman relative to a tax cut for the lower income brackets. By no means, however, does mention of this mean to suggest an oversight on Mr. Keating's part regarding the higher income brackets. His plans for a graduated cut may actually have benefited this group considerably more than press emphasis on the theme of a "tax break for the little man" might have implied to the general public.

In the Eighty First Congress Mr. Keating seems to have gained considerable public attention in conjunction with efforts to reduce or eliminate the excise tax on photographic materials. Such efforts, however, showed little immediate legislative success and became a casualty of the Korean conflict. The Congressman subsequently supported a sizable

increase in income taxes, inclusion of an excess profits tax, and extension of excise taxes as a means of augmenting the federal income commensurate with the increasing financial burden in Korea.

A major change in the tax structure was made in the Eighty Third Congress with Mr. Keating's approval. This, the Revenue Act of 1954 was said to have adjusted the Internal Revenue Program to better fit the nation's Twentieth Century economy. The adjustment included an election year tax cut.

In general, from the evidence included in this chapter it might be concluded that on tax matters Mr. Keating was basically within the mainstream of that thinking reflected by the voting of other Republican Congressmen.

The following unit continues the discussion on matters of domestic finance, but focuses on specific aspects within this general theme. The first chapter in this new unit (Chapter V) will concentrate on the legislative image of Mr. Keating regarding farm issues.

## CHAPTER V

### FARM MATTERS

Parity, acreage allotments, and rigid or fixed price supports were some of the common terms that prevented the Republican Eightieth Congress from forgetting the impact which the New Deal had made on agricultural affairs. For Kenneth Keating, a newcomer described by one opposition voice as a , "suave corporation attorney,"<sup>1</sup> farmers and their affairs were to become an annual concern after his 1946 election if not before.

With a several — year record of direct influence in the nation's agricultural pursuits, the federal government could still be expected to retain some interest in such matters for a long time to come. And, as a member of the post war period's first Congress, Mr. Keating was to adjust his individual political philosophy to this reality and erect upon this conforming foundation a personal record of his Republicanism , oriented to agrarian issues of the day.

An attempt will be made to isolate evidence of this philosophy in the pages of this chapter, hopefully to contribute to the developing view of what Mr. Keating's House career image was composed.

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Roch. Sun., Oct. 3, 1946, p. 1.

Early Commitments. "Henry Wallace Hangover" and "Peanut Politics" were Keating labels attached during his House career to particular farm proposals which he opposed.<sup>2</sup> These labels are mentioned at this early point in the chapter to serve as something of a backdrop which seems to be not out of character with some portions of the Keating-image-making process.

Whether or not such phrases were conceived by Keating himself may be less important than the fact that these and similar ones accompanied the Congressman's name in local papers with some frequency. It may, in this regard, be more than speculation to suggest that this type of phrasing could be used to communicate with larger varieties and different stratas of society more effectively than numerous other types which could have been utilized on his behalf. In terms of image-building, therefore, use of this technique over a period of time could likely acquire some level of importance as a contributing factor to the overall "Ken Keating" image.

From his characteristically Republican Fortieth District, it is not improbable that Mr. Keating could have felt that Mr. Wallace's relationship with progressive causes would be remembered in a negative light. Labeling a farm

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Both phrases will appear later in this chapter's discussions.

proposal as a "Wallace Hangover" could therefore, be considered a derogatory move — potentially beneficial to a public servant who might seek the added sympathies of a relatively conservative portion of his constituency. Likewise, though perhaps hundreds of miles away from peanut farms, his home folks may have been close enough to sense again the lack of importance attached by Mr. Keating to these tiny nuts in comparison to the size of the subsidies proposed through the years to benefit their producers.

Even by overlooking the nature of the phrasing used to convey the Keating opinions to his people, a researcher could discover sufficient evidence to suggest the early formation of a partisan image for the Congressman relative to the topic of farming issues. For instance, his overall commitment to Secretary of Agriculture, Charles F. Brannan's Democratically-spawned farm proposals was readily negative and may have been characterized by a Keating reaction to a 1949 proposal. In this particular case the Republican Congressman professed amazement at the so-called "Brannan Plan",<sup>3</sup> and called it a "Feat of Legerdemain":

We heard much in the last campaign about raising prices for everybody that produces and lowering prices for everybody who consumes. We thought that couldn't

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Roch. T. U., April 9, 1949, p. 2. An editorial essentially following the same line of thinking appeared two days later (Ibid., April 11, 1949, p. 14).

be done. But lo and behold — the Administration has come out with a plan that is supposed to do that very thing. This feat of legedemain is the fantastic child of Agriculture Secretary Brannan and we are told it has the blessing of the President.... The taxpayers... these same farmers and consumers are to pay the differences out of their pay envelopes.

We have heard a lot about that kind of economics from across the sea, but this is the zenith in this direction on this side of the water. <sup>4</sup>

The proposals of the Secretary of Agriculture included a farm subsidy plan applied in its trial stages to only eggs, potatoes and wool. The House defeated the proposal despite a personal plea from Speaker of the House Samuel Rayburn (D. Texas) to pass it. However, a victory for the Administration arrived later the same day with the passage of the Agricultural Act of 1949 which continued the war time price supports at ninety per cent of parity. Congressman Keating was among those helping to kill the original Brannan subsidy bill but in what seems at variance with his later thinking (during the 1950's), he supported the successful bill that extended price supports at ninety per cent of parity. <sup>5</sup>

An attempt by Republican Congressman Aiken (Vermont)

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<sup>4</sup>

Ibid., April 9, 1949, p. 2.

<sup>5</sup>

The vote on the Brannan subsidy plan was not a roll call vote, but based on press reports of his criticism of the plan Keating's negative vote on the matter may be presumed. He did record a "yea" vote on the passage of the Agricultural Act of 1949. Cong. Rec., 81 Cong., 1 Sess., (July 21, 1949), p. 9963, (HR5345).

to provide a flexible price support program (ranging from sixty per cent of parity to ninety per cent) was defeated at this time by a voice vote in the House, but some indication of Keating's views can be found in regard to the unsuccessful Gore Amendment proposed for the Agricultural Act. Keating voted for the proposal, he said, because it was, "...the most feasible way of beating the fantastic and costly Brannan Plan".<sup>6</sup>

Later in the year when a compromise Agricultural Act was being considered Keating labeled it a "political booby trap" and a "craven effort to purchase votes with public funds".<sup>7</sup> He said, "It represents an effort to postpone sound economics at the expense of the public welfare". It was, he conceded, a "...vast improvement over the original vote-buying scheme of the Secretary of Agriculture (the Brannan Plan)", but as adopted it still had several weaknesses.<sup>8</sup> These included the fact that it continued the extravagant government stockpiling of commodities; discriminated against farmers lacking sufficient political support to have their

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<sup>6</sup>

Roch. T. U., July 22, 1949, p. 1.

<sup>7</sup>

Ibid., Oct. 20, 1949, p. 8.

<sup>8</sup>

Ibid.

products placed on the favored list; guaranteed the consumer no relief, "...within the indefinite future from the present artificially-inflated food and clothing costs"; continued all the abuses characteristic of past experience with rigid price supports; and, rather than helping in the long range interests of the farmers it injures them with the exception of a small but powerful group of large Southern and Western land owners.<sup>9</sup>

At this (1949) juncture, farm conditions were seemingly somewhat aggravated compared to what things were like a short time before. For example, a news item had heralded in 1947 the fact that:

Relief for the nation's farmers isn't worrying this Congress.... For the first time in many years the farmers are faced with no "emergencies".

Prices are high, production is up, equipment is coming back on the market, things definitely are looking up.<sup>10</sup>

That year the House had passed the appropriation for the Agriculture Department after reducing the amount proposed by the President by almost twenty nine per cent.<sup>11</sup>

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Roch. T. U., Oct. 20, 1949, p. 8.

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Ibid., May 6, 1947, p. 8. The article continued by saying that the House Agriculture Committee was studying the long range picture, though, and realize that "price troubles may be ahead, if and when surpluses develop that cannot be absorbed.

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Truman asked for \$1,188,571,318.

Congressman Keating at the time of passage, voted "nay" on attempts to add thirty million dollars for a school lunch program and twenty five million dollars for the lending fund of the Rural Electrification Administration.<sup>12</sup>

Later in the same year in a letter to the State Director of the Farmers Home Administration, he was to mention a complaint that would be a recurring one in the years ahead:

From the point of view of New York State, it looks to me as if, as usual with Federal funds, we are getting the short end of the stick when there is fifteen million dollars appropriated and only one hundred thousand dollars allocated to New York State which pays something like twenty per cent of the taxes.<sup>13</sup>

The 1948 Agricultural Act which extended existing price support for eighteen months, passed the House without a roll call vote.<sup>14</sup> However, some indication of Keating support may be gathered from the fact that he recorded a "yea" vote for the appropriation bill for the Agriculture Department that year.<sup>15</sup>

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<sup>12</sup>  
p. 9328. Cong. Rec., 80 Cong., 1 Sess., (July 18, 1947),

<sup>13</sup>  
Ibid.

<sup>14</sup>  
The Rochester Times Union (June 18, 1948) said in an editorial: "Congressmen who may yet have to fight an election campaign on the high cost of living will do badly if they permit Mr. Truman's needling to stampede them into an ill considered farm legislation"— apparently referring to bill, then under consideration, to extend price supports. p. 24A.

<sup>15</sup>  
p. 8186, Cong. Rec., 80 Cong., 2 Sess., (June 14, 1948), (HR5883).

Later Commitments. In 1950 Congressman Keating joined colleagues in seeking to have federal surpluses of food made available to state and federal welfare agencies, and also to schools for their lunch program. He and three other Congressmen were quoted as saying, at this time, that the government held 277,480 tons of ten surplus food commodities which could be eaten without further processing. The four congressional districts which they individually represented, they said, had a combined total of five million persons currently receiving welfare aid who could benefit from this suggested plan.<sup>16</sup>

Something of a corollary to this plan Keating had advocated came later when in 1955 the House acted to authorize the Commodity Credit Corporation to use some of its wheat and corn surpluses for the nation's needy.<sup>17</sup> Keating said at the time:

I have been very much in favor of this type of proposal for some time. This is one of the most logical and reasonable ways ever suggested to cut back on the great stockpiles we have built up — although it will not really make a lot of difference since such outlets must necessarily be limited by comparison.<sup>18</sup>

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Roch. T. U., Feb. 22, 1950, p. 23.

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Cong. Rec., 84 Cong., 1 Sess., (May 25, 1955), p.7059, (HR2851).

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B.F. Post., June 16, 1955, p. 6.

But merely agreeing on a constructive use of some surplus foods did not seem to change Mr. Keating's mind on the basic question:

High rigid supports are bad for the farmer, for for the consumer, and for the taxpayer. There may be individual exceptions to that broad generalization, as in the case of certain of the large wheat or cotton or tobacco farmers. But by and large a flexible support system is better for all segments of our economy. 19

Showing some impatience, perhaps over the fact that the proposal for an eighty two and one half per cent of parity program he had supported in 1954 had lost, he called the Agricultural Act of that year a "half a loaf":<sup>20</sup>

We have fiddled and fooled with this thing while the surpluses continue to pile up on us and the American taxpayer is obliged to take on an ever heavier burden. It would be folly for us to retreat now to a program that has already proved it is costly and unsuccessful. That would be economic nonsense. I urge full support for the program as proposed by President Eisenhower and Secretary Benson to meet this problem.<sup>21</sup>

In answer to those who had observed the fact that farm prices were declining and sought to add to their sense of assurance by promoting a continuing of rigid price supports, Keating had an answer. It was a fact, he said

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<sup>19</sup>  
p. 5768. Cong. Rec., 84 Cong., 1 Sess., ( May 5, 1955),

<sup>20</sup>  
Ibid., p. 5769. The Agricultural Act of 1954 had passed the House while Republicans claimed a one seat majority.

<sup>21</sup>  
Ibid.

that the price decline had occurred under the rigid price support program which the Democratic proposal again "seeks to impose on us". It is, he said, like "saying the best way to get over a drunk is to imbibe more of the same".<sup>22</sup>

Congressman Keating's arguments against this proposal were to little avail. Though all in the same day he: voted to strike peanuts from the "basic commodity" list (so it couldnot be elegible for price supports), voted to recom- mit the farm bill in question (HR12), and finally voted<sup>23</sup> against enactment, he lost on all three accounts. His lack of success on this bill was explained to the home folks in a local paper, partly by inclusion of the phrase "peanut politics" as probably some element of substantiation for a Keating claim that Democrats liked to spend big sums on matters of small significance.

At this time the Congressman was quoted as saying that New York paid twenty times what Kansas did on federal taxes, but Kansas received one hundred fifty four times what New York got in farm subsidies. Also, Iowa, he said, got one hundred times what New York gets, but paid equal taxes. North Carolina received fifty eight times the benefits enjoyed

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<sup>22</sup>  
p. 5769. Cong. Rec., 84 Cong., 1 Sess., (May 5, 1955),

<sup>23</sup>  
Ibid. pp. 5804, 5805, 5806.

by New York but pays eight times less the federal taxes.

The following year (1956) in an apparent slap at New York's Democratic Governor Averell Harriman, Keating accused "high state officials" who support high rigid farm price supports of being guilty of "callaris [sic] disregard" for the New York farmer.<sup>25</sup> He blamed such action on an "overweening political ambition for high office, or a cynical deal to trade votes". Rigid supports, he said, result in higher prices for what the farmer must buy. Such a program was, he noted, "designed to benefit big wheat and corn farmers of the West and big cotton, tobacco and peanut farmers of the South."<sup>26</sup>

For New York farmers, he declared, "...a flexible system is preferable."<sup>27</sup> He praised President Eisenhower for not being politically inspired or bowing to pressures from political sources, especially those which would seek to return to the high rigid supports. The biggest headache in the realm of agriculture, according to the Congressman, was the government warehouses filled with surpluses. For

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<sup>24</sup> Roch. T. U., May 9, 1955, p. 26.  
<sup>25</sup> Ibid., Jan 17, 1956, p. 6; <sup>26</sup> Ibid.  
<sup>27</sup> Ibid., Jan. 9, 1956, p. 19.

this, the President has, he declared, a proposal for an "orderly and speedy disposal system" as well as a method to insure against their continuing to pile up.<sup>28</sup>

Two months later the Congressman complained that the tobacco interests had "put over another fast one on the rest of us".<sup>29</sup> He referred to the House passage of a bill permitting allotments for tobacco farmers. In this regard, he blamed tobacco-interest spokesmen in Congress for exhibiting selfishness with disregard for the rest of the nation.<sup>30</sup> A short time later he voted with the majority in defeating an attempt to place a price support floor at eighty four per cent of parity for upland cotton.<sup>31</sup>

In general, it may be considered doubtful that on any other topic found within these pages relative to the domestic economy theme, a more nearly definable pattern approaching partisanship could be found than in this, the field of agricultural affairs. His general displeasure with Truman Administration proposals (noted earlier in this chapter) showed evidences of carrying over into the Eisenhower years and revealing itself at times in readily predictable commitments.

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Roch. T. U., Jan. 9, 1956, p. 19.

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B.P. Post., Mar. 8, 1956, p. 2.

30

Ibid.

31

Cong. Rec., 84 Cong., 2 Sess., (May 3, 1956), p. 7448, (HR10875).

For example, when the Republican Secretary of Agriculture, Ezra Taft Benson, came under attack in his first months in office, Mr. Keating sent a letter to the President on his behalf. The Congressman pointed out that a majority of New York farmers seem to be behind the Benson program and he, himself, hoped the White House would continue to pursue it.<sup>32</sup>

Likewise, he supported the Eisenhower proposal to give the Department of Agriculture a major overhauling soon after the new Administration had assumed power in 1953.<sup>33</sup> The Department was, he said, like many federal agencies, a "crazy patchwork of various functions". A few months later the Upstate Republican helped change another matter carried over from the previous Administration. He explained the matter by saying: "... we acted to clear up a situation where the Federal Government has been intruding in an area of private enterprise for a long time".<sup>34</sup>

The matter in question related to the Farmers Home Administration, which he said, originally was established as a last resort agency for farmers who could not get loans

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Roch. T. U., Nov. 19, 1953, p. 18.

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Cong. Rec., 83 Cong., 1 Sess., (May 20, 1953), p. 5276, (HR5227).

34

B. P. Post, July 29, 1954, p. 7.

from private sources:

This FHA (quite like its counterpart the Federal Housing Administration which is now under investigation) has always been so easy to deal with and so lavish with public funds that it has cut severely into business that should be handled by private investors and banking institutions.<sup>35</sup>

Apparently with these or similar thoughts in mind Keating and House colleagues passed a bill which gave the Secretary of Agriculture power to adjust interest rates to conform more to those of private sources.<sup>36</sup>

Private enterprise had been a concern on other matters also. One in particular reveals again the Keating emphasis on private ownership when he spoke in favor of an amendment to a Commodity Credit Corporation bill which would have prevented the Corporation from acquiring cold storage warehouses for some of its commodities. Keating told House cohorts (according to a press report) that he would resist with all his energy something like this type thing that threatens destruction of private enterprise by government competition. Although conceding that the Commodity Credit Corporation bill stipulated that the government should not acquire these facilities where adequate private ones were

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B. F. Post., July 29, 1954, p. 7. A direct quote.

36

Ibid.

available, he added, "Who is to determine that question?  
 the C.C.C. itself."<sup>37</sup>

As related to the Democratic majority in the House, Congressman Keating's appraisal of the farm picture was similar as his House career drew to a close as to what it had been in the early sessions under a Democratic Administration. "The annual Congressional agricultural derby got off to its usual miserable start this week in the House,"<sup>38</sup> he said at one point:

Another one of those mixed up, short sighted, and harmful farm proposals was brought to the floor for a vote. While some of the measures we've considered in the past have been bad, this one in many ways was the granddaddy of them all.<sup>39</sup>

Everyone was the loser on this one, he claimed, "the farmer, the taxpayer, the consumer". The bill in question was described as having the intention of extending rigid price supports to include additional commodities. In this regard, Keating declared that President Eisenhower had tried to "...liberate American agriculture from the artificial prison of high subsidies,"<sup>40</sup> and had asked to have minimum support levels reduced for basic crops whenever conditions

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Roch. T. U., May 13, 1949, p. 2.

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E.P. Post., Mar. 27, 1958, p. 8 (This is a lengthy column written under Keating's name).

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Ibid.;

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Ibid.

warranted. But Keating claimed that special interests had  
 blocked the way to this.<sup>41</sup> These comments, found in a news-  
 paper column ascribed to the Congressman himself, apparently  
 related to the fact that Senate Joint Resolution #162 had  
 passed the House authorizing a freeze in acreage allotments  
 and price supports. Minutes before passage, he had voted  
 "yea" on a motion to recommit the bill, but the motion was  
 defeated.<sup>42</sup>

In his explanation to the Rochester-area readers, Mr.  
 Keating cited the fact that the American Farm Bureau and other  
 "enlightened and informed organizations" opposed the bill in  
 question. He agreed that, "... economic, sociological and  
 Governmental factors combine to make it necessary that dairy  
 supports be frozen, temporarily at least".<sup>43</sup>

This was practical, he said, since the dairy industry  
 had effectively reduced surpluses below other agricultural  
 products. Too, he noted that twenty five per cent of the  
 existing dairy farmers would be forced out of business if  
 supports were cut. New York farmers in particular, the Con-  
 gressman stated would be hard hit since , "... much of our

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B.P. Post., Mar. 27, 1958, p. 8. During his last  
 session in the House, Mr. Keating sometimes used his column  
 to put before readers something akin to position papers.  
 This lengthy one concentrated on farm issues.

42

Ibid.

43

Ibid.

milk falls in the surplus category".<sup>44</sup> Keating explained to constituents that his attempt to amend the bill to freeze dairy products was beaten. The cards were, "... stacked the other way and the agricultural strait-jacket was approved".<sup>45</sup> He reported a week later, however, that the President had vetoed the bill, "...which was forced upon him last week".<sup>46</sup>

In the summer of Congressman Keating's last year in the House the Agricultural Act of 1958 reached the House floor and likewise gained little positive attention from the Up-state Representative. He called it (HR12954), "...another Frankenstein-like omnibus farm bill loaded with inconsistencies and outmoded principles".<sup>47</sup> It would, he said, do more harm than good to many farmers if enacted, particularly, New York State's farmers would be hurt:

Continued rigidity in farm regulations and disregard of competitive principles could spell disaster.... This bill largely disregards the sound proposals of the Administration and contains little of the flexibility of programs and freedom for the farmer which he so badly needs.<sup>48</sup>

Needless to say, the Congressman urged that this "hodgepodge"

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<sup>44</sup>

B. P. Post., Mar. 27, 1958, p. 8.

<sup>46</sup>

Ibid., April 10, 1958, p. 3.

<sup>47</sup>

Cong. Rec., 85 Cong., 2 Sess., (June 26, 1958), p. 12359.

<sup>48</sup>

Ibid.

<sup>45</sup>

Ibid.

be killed, so the House could work on individual items which he felt to be sound. These included, according to Keating, the school milk program and the Agricultural Trade and Development and Assistant Act.

Summary. In concluding this farming segment of this survey of the Keating years in the House, an appropriate summary of his feelings might be found in a speech he delivered during his 1958 race for the Senate. At this time he concluded that the Democrats and their high price supports create surpluses and force up feed costs. He added:

The Democratic policies benefit the cotton, tobacco, peanut, wheat and corn barons of the South and West. We in New York State, more often than not are left holding the bag.<sup>49</sup>

Keating reminded his listeners that he admired Ezra Taft Benson as a man of stubborn courage and also he supported the flexible type of program advocated by Benson. This, he said:

...is an important step toward the goal desired by most farmers -- freedom to produce, freedom from regulation, freedom to make good incomes. 50

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From a news release dated Sept. 19, 1958, containing excerpts from a Keating speech delivered to a farmers gathering at Rachel's Grove (near Utica), New York. Keating Papers.

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Ibid.

While there are things, Keating stated, that the Government can and should do for the farmer such as helping in orderly marketing, soil erosion and technological advances, the best thing, in the final analysis that the, "...federal govern-<sup>51</sup>ment can do for the farmer is to get off his back."

For the most part, the material in this chapter has established the fact that these Keating declarations in 1958 were supported by almost twelve years of legislative commitments in the same vein. One possible exception, it should be noted, related to the New York dairy farming industry which he said was deserving of continued high price supports.

The next chapter in this Keating survey will concentrate on two specific topics found within the general domestic economy area. Congressman Keating's "reflected" commitments on the subjects of Social Welfare and benefits for the sizable group post office employees will be combined to form Chapter VI.

## CHAPTER VI

### SOCIAL WELFARE AND POSTAL EMPLOYEE BENEFITS

Some people may feel that the difficulties inherent in defining a term such as "Republicanism" might be alleviated to some degree, if the efforts to define it could include a concentration upon an example as specific as perhaps the role of the federal government relative to welfare issues. If such were the case, a brief examination of Congressman Keating's commitments on such matters might help to define the term "Republicanism" as he saw it.

With this in mind, an attempt will be made in this chapter to scan Mr. Keating's House record on the two related topics, citizens' welfare programs and benefits for that major group of federal employees — the postal workers. Perhaps by so doing, this chapter may contribute to an increased understanding of the word "Republican", as defined in terms which Mr. Keating seems to have offered his public.

Social Welfare. The survey of the Keating Legislative image at times focuses on commitments that may have been alien to spectrums of Republicanism from such shadowed distances as the Pre New Deal past. Perhaps such could be the case with Mr. Keating's efforts in the field of government-

administered benefit programs.

In this respect, it might be noted that the Congressman's public statements on topics such as social security beginning early in his House career, revealed a willingness to expand coverage and benefits to the thousands, who through age or infirmity were dependent on others for support. For example, in 1947 he sponsored a bill to reduce the period of employment necessary to qualify for federal old age and disability insurance benefits.<sup>1</sup> His suggestion was to reduce the mandatory ten year employment stipulation to five years. Also, he asked for an extension of coverage for certain dependent children beyond the age limit of eighteen.<sup>2</sup>

When the topic of liberalizing benefits arose in the Second Session of the Eightieth Congress, Keating recorded his support again. It is, he is quoted as saying, "... a duty we owe to those senior citizens whose hard work and devoted effort have contributed so much to creation of our prosperity."<sup>3</sup> He pointed out that a retired individual was permitted to earn only fifteen dollars a month from part time employment without losing his pension. According to the Congressman, this should be increased, "...in the light

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<sup>1</sup> Roch. T. U., May 22, 1947, p. 13.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid., April 20, 1948, p. 14.

of existing living costs," to fifty dollars monthly.<sup>4</sup> In addition, he was said to have favored broadening the social security base to cover several non covered groups such as domestics, farm workers, and the self employed. Perhaps in what may well be a tenet basic to that philosophy revealed to the public, Mr. Keating concluded a statement with the words:

There are countless instances where it is simply impossible for our older people to maintain even a decent standard of living without some form of government assistance. Many of our older people are now facing the evening of their lives with apprehension and insecurity.<sup>5</sup>

The following year he again submitted his bill to liberalize the social security provisions, and complained that:

After all, we in Congress have acted to increase the President's "take home" pay and we're now considering raising salaries of top-level government officials.<sup>6</sup>

We should give equal treatment, he said to the "plain John Browns and the Mary Smiths" of the older set to insure them a more comfortable retirement.

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Ibid.

5

Ibid., This is a direct quote.

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Ibid., Mar. 3, 1949, p. 52; In Ibid., Aug. 18, 1950, p. 8 it is noted that Keating supported the 1950 Social Security Conference bill, but complained that it was inadequate and had been delayed too long. His roll call vote on this was "yea" and to a similar bill in 1954 he again voted "yea". Cong. Rec., 81 Cong., 2 Sess., (Aug. 16, 1950), p. 12673, (HR6000).

Ibid., 83 Cong., 2 Sess., (June 1, 1954), p. 7468, (HR9366).

The same year the Congressman spoke out in favor of two other forms of government benefits in addition to retirement provisions. One was a Keating-supported bill which would have provided federal compensation to civilian employees for loss of arms, legs, eyes, etc.<sup>7</sup> The second suggestion by the Congressman was that federal funds be used for research on multiple sclerosis and polio.<sup>8</sup> The heroic effort to relieve the suffering victims must not be allowed to slacken,<sup>9</sup> he said.

In 1950, the fact that the Upstate Republican focused some degree of attention upon income tax credit for private health plans presents an opportunity to note a Republican alternative to "socialized medicine". The plan proposed by Keating would grant income tax credit for ninety per cent of private health care plan costs for those people with annual incomes of less than \$2,000. Those earning over \$10,000 would be permitted only sixty per cent credit.<sup>10</sup> A press report in this regard noted, "Keating feels his plan would

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<sup>7</sup> Roch. T.U., April 12, 1949, p. 9.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid., Sept. 9, 1949, p. 16.

<sup>10</sup> Ibid., Jan. 13, 1950, p. 24.

remove the necessity of the federal government's setting up a 'huge bureauracy and subsidizing all our citizens for medical expenses'<sup>11</sup>".

In the summer of 1950 Mr, Keating revealed some measure of his feeling against federal influence in the medical field, when he joined House colleagues in defeating a Truman plan for a cabinet-level Department of Health Education and Security. His stated reason for so voting was that he was "unalterable opposed to socialized medicine:"<sup>12</sup>

Those who favor this plan have gone to great lengths to point out why they think it does not represent a step down the road toward Socialism. I want no part of any plan which requires a labored argument to prove that it is not an effort on the part of government officials to get control of the medical and dental professions and the education of our youth.<sup>13</sup>

In respect to this particular action, it may be of interest to note a policy statement released less than two weeks previous by twenty one House members described in the press as "liberal GOP Congressmen". These men in question, including Mr. Keating, signed a statement of principles which was said to have critized the party (Republican) for "dragging its heels in adopting new methods of meeting social welfare programs".<sup>14</sup>

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<sup>11</sup>

Roch. T. U., Jan. 13, 1950, p. 24.

<sup>12</sup>

Ibid., July, 11, 1950, p. 20. This was not a roll call vote.

<sup>13</sup>

Ibid., This was a direct quote from Mr. Keating.

It spoke of dangers, "... 'lurking in the infinite extension of government responsibility' and power toward 'slavery to the state,'" but said opposition to this has sometimes handicapped Republicans by putting them on record as opposing social progress.

Perhaps somewhat related to this topic was a speech delivered by Congressman Keating in late 1953 to the Monroe County Medical Society where he repeated his sentiment that he was "unalterably and unequivocally" opposed to socialized medicine. In so stating, however, he continued by saying, "I think we have long since passed the point where adequate medical coverage is a luxury". Promotion of adequate medical coverage was, he said, what he had in mind in sponsoring the still-pending bill to encourage reliance on private health care plans by granting income tax credit. He declared:

I am as bitterly opposed as any of you to the creation of another bureaucracy and to any suggestion whatsoever that would put our government directly into the practice of medicine.

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Roch. T. U., July 3, 1950, p. 2.

15

Ibid.

16

Ibid., Under "social progress" the statement included old age security, adequate medical care available to all, better education, better housing, protection of the rights of labor, aid to agriculture".

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Ibid., Dec. 16, 1953, p. 39.

18

Ibid.

19

Ibid.

Much later in his House career, the Upstate Legislator revealed his feelings on the topic of unemployment insurance. Criticizing a Democratic plan to liberalize this benefit program as having disregarded the basic principles of unemployment insurance, he stated that such a plan, "...could lead to the ultimate destruction of the whole system".<sup>20</sup> His special concern seemed to be that the Democratic proposal, "...simply ...offered more than anybody else offers -- sort of trying to outbid the other fellow,"<sup>21</sup> without providing any test to guarantee the recipients had a legitimate need.

The proposal he opposed had been offered during the 1958 recession and would have extended unemployment benefits sixteen additional weeks. He commented:

Simply stated, the solution offered by the majority party really didn't have anything to do with extending unemployment insurance at all. As the President said, it was a plain and simple dole from Uncle Sam. 22

With this and similar statements, Congressman Keating seemed to indicate his support for the Eisenhower proposal which would, once an individual's state unemployment benefits were exhausted, extend by half the number of weeks they were qualified to receive such benefits.

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<sup>20</sup>

B.P. Post, May 8, 1958, p. 5.

<sup>21</sup>

Ibid.

<sup>22</sup>

Ibid.

Postal Employee Benefits. In addition to social welfare matters, the United States Post Office Department seems to have accumulated some degree of concentration from Congressman Keating. Apparently as a reflection of the general concern in the United States over post war privations in Europe, coupled with a large percentage of alien-oriented constituents, the Congressman's initial efforts in postal affairs were directed toward postal rates on relief packages rather than on workers benefits. He began his efforts by commenting:

...Constituents who have relatives and friends in Europe often find themselves financially unable to do all they would like for their brothers and sisters across the sea because of exceedingly high postal rates on the shipment of merchandise.<sup>23</sup>

Keating called for the President and Postmaster General to cut postal rates on packages sent to "hunger threatened" countries.<sup>24</sup>

When an unfavorable report was returned a few months later by a subcommittee studying this idea, he is said to have challenged the report. According to a local paper, the Congressman blamed the subcommittee for trying to show that it was actually cheaper for the government to buy relief materials and pay the cost of shipping rather than subsidize part

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<sup>23</sup>

Roch. T. U. Oct. 31, 1947, p. 2A.

<sup>24</sup>

Ibid.

of the cost of transporting the relief packages. "They say government can make dollars go farther but the argument is unsound arithmetic," he said.<sup>25</sup>

In the summer of 1948 when Congress had not yet acted on this proposal, he called on cohorts to speed up the necessarily involved process of cutting rates. According to a paper, he claimed that there was a steady stream of his "warm hearted constituents" to the branch post office near his Rochester office even with the presently high postal rates "lugging heavy packages to be sent to friends or relatives overseas".<sup>26</sup> It costs over three dollars to send the limit of twenty two pounds, he said, and many send a package each week.

Much of the remaining action by Keating on postal matters during his House career related to increasing benefits of postal workers. In 1949, for example, he submitted a bill to give these employees the "...same vacations and sick leaves as other federal employees".<sup>27</sup> Likewise, the same year a bill had been submitted by Keating to grant time and a half

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<sup>25</sup>

Roch. T. U. Feb. 5, 1948, p. 4A.

<sup>26</sup>

Ibid., June 2, 1948, p. 6A.

<sup>27</sup>

This bill (HR2007) would provide twenty six days annual leave and fifteen sick days a year, instead of their current fifteen days annual leave and ten sick days. Postal substitutes would qualify for the same benefits under the Keating proposal.

overtime pay to part time workers. He explained:

A substitute postal employee who works more than eight hours a day receives pay only for straight time. There seems to be no logical reason why, if he is working alongside a regular employee and performing the same service he should not be entitled to the same compensation. 29

A few months later, the Upstate Congressman joined the heavy majority (332 -- 2) in approving a raise in postal workers' pay. This included a \$100 annual uniform allowance and a hike in the annual starting salary from \$2,550 to \$2,900. Keating noted; "...the postal workers, particularly in the low grades, have long deserved this modest recognition" 30 This particular pay raise was estimated to have cost the government about \$125,000,000 annually -- an amount which, it was predicted, would raise the postal deficit to about \$700,000,000. 31

A short time before the pay raise was approved, however, Keating opposed a suggestion that second class mail be raised to offset the postal deficit. "This legislation would force to the wall many religious and non profit

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This was bill numbered (HR4008).

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Rech. T. U., Feb. 1, 1949, p. 161B.

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Ibid., Sept. 28, 1949, p. 2. The bill passed was (HR5895).

31

Ibid.

32

publications and small weekly newspapers," he explained. In addition, he cited contacts from students, educators and fraternal organizations indicating increased hardships in disseminating educational matter and published magazines for members etc., due to postal costs. For example, the annual mailing costs for the Rochester Catholic Courier ( a weekly paper ), he said, would go up from \$3,432 to \$12,415.<sup>33</sup>

Keating continued to explain his opposition by commenting:

The theory behind postal schedules is that they facilitate spread of information and public enlightenment. Low rates aid the growth of large and profitable publishing ventures, especially magazines, but they also have been an important contributing factor in establishment of the position of the United States among the most literate of nations. 34

At first glance, the Congressman's refusal to support the suggested rate increase in 1949 could seem to be in conflict with his attempts to expand postal workers benefits (and his interest in balancing the federal budget, as shown

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Roch. T. U., May.21, 1949, p. 2.

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Ibid. One of the organizations mentioned as opposing the increase was the Rochester Elks Lodge of which he was a member. He likewise held membership in the local Masonic Lodge and the Brick Presbyterian Church, both of whom though not mentioned in this statement by Keating, would likely have publications similarly oppressed by a postal increase.

34

Ibid.

in Chapter III). However, according to a Keating charge at a later date this may not necessarily be true.

The postal department is running in the red over one half billion dollars a year, he was said to have told local radio listeners. According to this report from Keating, "any action by Congress will not even come close to meeting the deficit..."<sup>35</sup> The most effective step toward meeting the problem, he said, is now:

...stymied because of failure on the part of the President or the majority leadership in Congress to press for action on the recommendations made by the Hoover Commission for reorganization of this department.<sup>36</sup>

Keating's roll call voting record this year (1951) shows that he voted to reduce appropriations for the Post Office Department, but favored a suggestion to adjust postal employees' salaries.<sup>37</sup> The reduction attempt was defeated by two votes in the House, but the salary increase passed 339 — 7.<sup>38</sup>

In 1954, the records list Mr. Keating among those

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<sup>35</sup>

Excerpts from a radio broadcast (WHEC), published in Roch. T. U., Sept. 24, 1951, p. 24.

<sup>36</sup>

Ibid.

<sup>37</sup>

Cong. Rec., 82 Cong., 1 Sess., (Mar. 21, 1951), p. 2822, (vote was on an amendment to HR3282);

Ibid., (Oct. 19, 1951), p. 13575, (S355).

<sup>38</sup>

Ibid., p. 13575.

casting affirmative votes to a proposal for increasing both postal rates and employees' salaries.<sup>39</sup> Again in 1955 he voted to raise postal employees salaries, but when an amendment was offered to make the pay raise a month and a half retroactive he opposed it.<sup>40</sup>

President Eisenhower opened the 1956 Congressional session with a plea (in his State of the Union Message) for an increase in postal rates to help reduce the Post Office Department's deficit. That summer Mr. Keating supported a bill to increase mail revenues at the following scale: first class mail would be raised \$259 million annually; air mail — \$16 million; and third class mail — \$122 million.<sup>41</sup>

In 1957 he again voted to raise postal rates when the matter came up for House consideration.<sup>42</sup> Failing in this, he

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Cong. Rec., 83 Cong., 2 Sess., (July 21, 1954), p. 11279, (HR9245);

Ibid., (Aug. 9, 1954), p. 13760.

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Ibid., 84 Cong., 1 Sess., (June 7, 1955), p. 7785, (s2061);

Ibid., (April 20, 1954), p. 4862, (HR4644).

41

Ibid., 84 Cong., 2 Sess., (July 6, 1956), p. 11992, (HR1380).

42

Ibid., 85 Cong., 1 Sess., (Aug. 13, 1957), p. 14617, (HR5836).

cast another vote in 1958 on a similar bill, this one to raise both postal rates and employees' pay.<sup>43</sup> Unlike many earlier efforts, the 1958 postal bill did ultimately gain full passage through both Houses and became an enacted law before his career as a United States Representative came to an end.

Summary. From the information cited, it may be concluded that this chapter, if separated from the overall twelve year survey, would prove to be less than outstanding as a source of insight into Mr. Keating's image. But here, as one portion of a Congressman's intricate composite, it may indeed offer a significant contribution.

In terms of discoveries, perhaps the single one most noteworthy in Chapter VI has been the revelation that the Upstate Republican reflected a positive interest on several occasions in the expansion of some federal benefit programs even though this meant higher government expenditures. With this in mind, the definition of "Republicanism" as offered through Mr. Keating's legislative commitments assumes proportions, perhaps less conservative than some might have

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<sup>43</sup>  
Cong. Rec., 85 Cong., 2 Sess., (May 22, 1958),  
p. 9338, (HR5836).

guessed. However, his apparent reluctance to welcome "socialized medicine" or liberalize the federal unemployment insurance provisions may seem less than surprising for a Republican Congressman.

In an effort to lend a corrective degree of perspective to the numerous "yea" votes attributed in this chapter to Mr. Keating, it should be noted that on several such votes of affirmation he joined a heavy majority. This may suggest more of an element of popularity accompanying these measures than some would expect, and likewise remove any impression that the local Republican was leading a minority <sup>44</sup> crusade.

Similarly, the next chapter in this survey will concentrate on the apparently equally popular topic of former service personnel. Again, the fact that this survey is built around the positions taken by one legislator rather than House voting patterns need not suggest that he had necessarily assumed a role of leadership in the matters discussed.

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This statement is based on the roll call voting cited in this chapter, several examples of which reveal a three hundred vote difference between Mr. Keating's majority opinions and the negative vote total.

## CHAPTER VII

### VETERANS AFFAIRS

The fact that Mr. Keating was a veteran of the recent war may well have been an asset to him in his 1946 election campaign. Coupled with his opponent's lack of such an affiliation and the fact that virtually every household in the nation had recently been in some contact with service personnel, this relationship of Mr. Keating's could easily have played some part in his having initially won the Congressional seat.

Once having acquired this legislative responsibility, however, Mr. Keating could hardly ignore the recently returned G. I. who by now formed a strong and vocal segment of American society. Therefore, a review of his commitments regarding the affairs of the former service personnel could reveal some tenets of Keating's philosophy which had been sufficiently exposed to the public to have affected the formation of a Keating image. With this possibility in mind, an attempt will be made in this chapter to record such commitments in hopes of better "seeing" the Ken Keating which the Rochester public probably "saw".

Legislative Commitments Made by Keating Prior to the Korean Hostilities. The numerical impact of the returning veterans upon local elections might well be a factor of some significance at the onset of this particular section. This in itself could be difficult to isolate, but, based on one related set of figures the impact could at least be vaguely visualized and perhaps even directed into a realm for reasonable speculation.

According to published figures, the Rochester voter registration number had risen from 109,714 in 1945 to 130,790 by the fall of 1947. In this regard, a local paper attributed much of the increase to local veterans' interest in gaining passage of a bonus amendment which was on the New York ballot that year.<sup>1</sup> If this were the case, the registration increase might serve as a general measurement of interest in veteran-centered legislation. To a legislator such a guide could prove useful.

At any rate, Mr. Keating after acquiring his Congressional seat tried from the start to preserve his identification with veterans and their causes. For example, in 1947 when records of Congress suggest that it was not unfashionable for Congressmen to perform services for (and to submit

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<sup>1</sup>  
Roch. T. U., Oct. 13, 1947, p. 2A.

bills offering benefits to) veterans, Mr. Keating's willingness to do likewise was in evidence.

During his third month as a Congressman, a Rochester paper credited him with gaining "immediate action" for a war widow who was awaiting an overdue check from the Veterans Administration.<sup>2</sup> On request from the American Legion, he soon after submitted a bill to "short cut" citizenship procedures for aliens who had served in the United States armed forces. This bill would have eliminated some requirements such as the lengthy residency period and educational tests. Convincing proof of honorable military service in addition to affidavits from reputable citizens attesting to the applicant's moral character and attachment to the principles of the United States Constitution would be sufficient for citizenship, if Mr. Keating had his way.<sup>3</sup>

"Representative Kenneth B. Keating (40th Dist.) has come to the aid of the discharged servicemen who have not collected mustering out pay,"<sup>4</sup> a local newspaper announced a short time later. The original mustering out provisions (established in 1944) had stipulated that personnel apply

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<sup>2</sup>  
Ibid., Mar. 19, 1947, p. 3A.

<sup>3</sup>  
Ibid., Mar. 25, 1947, p. 9A. This bill was signed into law June 3, 1948.

<sup>4</sup>  
Ibid., Mar. 14, 1947, p. 15A.

within a two year period after the provisions had gained enactment, if they wished to receive the benefits. Since the two years had elapsed, Mr. Keating submitted a bill, on behalf of forty veterans attending Rochester Institute of Technology, to extend the application period to five years. <sup>5</sup>

A Democratic challenge in the spring of 1947 to restore G. I. benefits' funds (three hundred and fifty million dollars), cut by the House Appropriation Committee may (or may not) have some direct relationship to Congressman Keating. In this regard, the ranking Democrat on the committee complained that Republicans had been "sticking together pretty closely when there hasn't been a record vote" <sup>6</sup> To which particular Republicans the statement referred is not apparent because a "biparty coalition vote" affirmed Democrats' attempts the following day to return the full fund cut to the appropriation bill on a roll call vote. <sup>7</sup> Mr. Keating joined the majority in approving this restoration of funds. <sup>8</sup>

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<sup>5</sup>  
Roch. T. U., Mar. 14, 1947, p. 15A.

<sup>6</sup>  
This statement by Congressman Cannon (Mo.) was released by the Associated Press and published in the Roch. T. U. April 1, 1947, p. 16. Similarly, Congressman Kearny (R. N.Y.) complained (Ibid., June 17, 1947, p. 2.) that House Republican leaders had privately killed his bill to increase subsistence payments to veterans training on the job.

<sup>7</sup>  
Ibid., April 2, 1947, p. 7.

<sup>8</sup>  
Cong. Rec. 80 Cong., 1 Sess., (April 2, 1947), p. 1144.

The summer of Mr. Keating's first year in Congress resulted in additional steps being taken by the Congressman on behalf of the veterans' cause. One such attempt came as a private bill submitted to seek authorization for payment of a life insurance death benefit to an aunt of a deceased veteran.<sup>9</sup> Another Keating bill sought to alter postal civil service seniority provisions to provide more equitable treatment for disabled veterans.<sup>10</sup> Likewise, another bill sought to institute the awarding of Gold Star lapel buttons to widows and parents of World War II dead.<sup>11</sup> An attempt to obtain reconsideration of a Veterans Administration order that reduced its Rochester staff by twenty three men was, however, unsuccessful.<sup>12</sup>

The second session of the Eightieth Congress found (according to a local newspaper) Keating prodding the House to pass a bill granting a federal charter to the Catholic

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<sup>9</sup> Roch. T. U., July 22, 1947, p. 3A. The aunt was described as being the intended beneficiary of a National Service Life Insurance policy and was deprived through an oversight on the part of the decedent.

<sup>10</sup> Ibid., July 24, 1947, p. 3A.

<sup>11</sup> Ibid., Aug. 2, 1947, p. 1A. This was signed into law Aug 2, 1947. Later (May 1949) Keating submitted a bill broadening this gold star lapel button authorization to include "close relatives".

<sup>12</sup> Ibid., July 2, 1947, p. 3A.

and Jewish War Veterans organizations.<sup>13</sup> Too, he is said to have expressed reservation to Congressional colleagues over a proposed draft law saying it would cause a "...great dis-  
location of lives and families and in our economic life."<sup>14</sup>  
Declaring that new efforts should be made to fill military rolls by volunteers, he continued by saying: "this peace-  
time draft would be a radical departure from American tradi-  
tions!"<sup>15</sup>

Even after the enactment of the draft bill ( in the summer of 1948 ), Congressman Keating issued a complaint. He protested that the right of eighteen year olds to enlist for twelve months service (rather than wait to be drafted) should be made retroactive to the June 24 enactment date. Many boys, he said, would pass their nineteenth birthday and therefore be ineligible for the law's enlistment opportunity for eighteen year olds before the new draft procedures could begin operations. After receiving little satisfaction from communications with Army Secretary Kenneth C. Royall, the Congressman indicated to a reporter that he might appeal  
to the President about the retroactive enlistment provision.<sup>16</sup>

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Roch. T. U., April 13, 1948, p.1.

14.

Ibid., June 17, 1948, p.7B.

15

Ibid.

16.

Ibid., July 8, 1948, p.22A. No evidence has been found in this study to indicate that he did appeal to the President on this matter.

In a similar vein, Mr. Keating submitted a bill which would have included enlistees, who had joined the armed forces between Sept. 3, 1945 and Oct. 6, 1945 under, the G.I. benefits.<sup>17</sup> The benefits at this time applied only to those who were in the armed forces before hostilities of World War II had ceased.

In general, the Upstate Congressman seems to have strongly supported the Armed Forces Reorganization Act, but upon his return from a fall trip to Europe he was critical of one side effect from this major overhaul. The army's new rank of "recruit" (subordinate to that of "private") was, he noted, likely to, "...lower morale and give rise to dissension in an organization which must work as a harmonious unit!"<sup>18</sup>

In 1949 Keating submitted bills toward the issuing of a federal charter to the Gold Star Society of American War Widows and Orphans, and expanding a 1948 law that would guarantee veterans their pay if fired and later are reinstated on the same job.<sup>19</sup> In addition, he sounded an alarm on failures of the present military reserve program:

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<sup>17</sup>

Ibid., Aug. 18, 1949, p. 44.

<sup>18</sup>

Ibid., Nov. 19, 1948, p. 16B.

<sup>19</sup>

Ibid., Feb. 18, 1949, p. 8A.

Men trained in combat are slipping away from the organized reserves. When and if war comes again, these veterans will be scattered, unorganized — hard to find.

In an atomic onslaught it may be too late before they can be mobilized. 20

To improve the situation, the Congressman submitted a bill to place the United States Reserves on an equal plane with the National Guard. <sup>21</sup> This he felt would change the emphasis of the War Department toward the program and thus improve the the situation.

One of the more significant veterans controversies of the Eighty First Congress seems to have focused on the so called Rankin Bill. In March 1949, after the closest of votes (said to be the closest vote on a major bill since the 1941 draft law was approved by one vote) this veterans measure was returned to committee for further study. At this time thanks to several amendments, the bill already looked like a combined pension — bonus bill, according to one <sup>22</sup> report.

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20

Roch. T. U., Mar. 9, 1949, p. 6. He said, that of the 320,000 officers in the Army Officers Reserve Corps, 45,000 are on active duty and only 152,000 of the rest are showing interest in an active part with the reserve program.

21

Ibid.

22

Ibid., Mar. 24, 1949, p. 1. The vote on this Rankin proposal was 208 to 207 in favor of recommitting. Congressman Keating voted "nay".

The fact that Keating voted against sending the Rankin Bill back to committee is not necessarily an indication that he favored it. As he explained, "...it is not in the best democratic traditions to kill the bill until debate is complete".<sup>23</sup> Although endorsing the general idea of a "middle ground" pension bill, the Congressman deferred making a public commitment on this bill until its final form had been determined. He did note, however, that it already was greatly improved over the original bill.<sup>24</sup>

Specifically, he emphasized a "needs" limitation limiting eligibility to those under certain incomes as the "most important" element to include in the bill.<sup>25</sup> And on the question of including or excluding World War II veterans in the coverage, he noted that, "...it hasn't been the practice in this country to consider pension legislation so soon after a war,"<sup>26</sup> but added that he would remain open minded. When the Rankin Bill finally gained House passage that summer (367 — 27) Mr. Keating was among those voting "yea". He reminded constituents that it would cost little more than the

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Roch. T. U., Mar. 25, 1949, p. 33.

24

Ibid., Mar. 29, 1949, p. 3.

25

Ibid.

26

Ibid.

present system.

Later, Congressman Rankin (D.Miss.), House Committee on Veterans Affairs Chairman, clashed verbally over the New Yorker's criticism of the Veterans Administration's delay in paying G.I. insurance refunds. "The V.A. knew a year ago these refunds would have to be made," Keating is said to have stated. "Why then wait until 1950, which happens to be a congressional year?"<sup>28</sup> Rankin replied that large numbers of extra workers would have to be trained before the sixteen million veterans could receive their checks. "If Mr. Keating thinks he can do the job quicker," Rankin is reported to have said, "why doesn't he take his office staff<sup>29</sup> and go over to the Veterans Administration and do it".

Commitments Made During and After Korean Hostilities.

Korean fighting aroused renewed interest in issues related to service personnel. Two months after the first gunfire a bill was enacted to give veterans of World War II social security credit equal to \$169 income for each month of service, however, a cutoff date was included in the new law

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27

Roch. T. U., June 2, 1949, p. 1.

28

Ibid., June 24, 1949, p. 13. A few weeks earlier (Ibid., April 29, 1949, p. 6) he verbally opposed Defense Secretary Johnson's plan to kill the Marines' air arm.

29

Ibid.

which effectively eliminated present servicemen. Congressman Keating introduced a bill to remedy this, saying it was inexcusable for the nation not to do this much for our servicemen in Korea. "This Congress should not consider adjournment until it has acted... on my bill"; he declared.<sup>30</sup>

Too, Keating complained that United States officials had not shown proper respect to some servicemen's graves. On behalf of some parents of fallen World War II service personnel, he pointed out that only an army number marked some graves in United States cemeteries.<sup>31</sup>

Just as Congressman Keating had in 1949 expressed alarm over the loss of trained military personnel and the resulting problems of sudden national rearmament, so did he after the outbreak of Korean fighting express displeasure over the mobilization procedures in use:

The entire program of call up of reserves... since the beginning of the Korean War has been characterized by haste, lack of planning and injustice to individuals involved.<sup>32</sup>

There was, he stated, need of a national plan to facilitate

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Roch. T. U. Sept. 20, 1950, p. 20.

31

Ibid., Sept. 19, 1950, p. 18. He spoke on behalf of HR4837 which he had submitted during the first session of the Eighty First Congress.

32

Ibid., July 27, 1951, p. 9.

mobilization.

Keating did, however, endorse in general the conference report that year which extended the draft, by calling the plan "...essential to the safety and security of the country".<sup>34</sup> Among points which he opposed in the measure, though, was the provision that extended the service period of recalled reservists from twelve to seventeen months;

Many have heavy family and financial obligations and have already served several years in World War II, often with combat outfits,<sup>35</sup> he said.

Several months later, when an Eisenhower bill to reorganize the Reserve Program was sent back to committee without a vote on the merits of the plan itself Mr. Keating was displeased. He was said to have blamed the bill's failure on a "deep and ugly rift" in the Democratic ranks when it came to agreeing on an anti-segregation amendment proposed for the bill. He continued:

...we are denied an opportunity to vote on this important national defense measure because it contained the distinctively American principle that all men should have equal treatment.<sup>36</sup>

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33

Roch. T. U. July 27, 1951, p. 9.

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Ibid., June 8, 1951, p. 4.

35

Ibid.

36

The amendment in question was designed with the apparent intention of reducing or eliminating racial segregation in National Guard and Reserve units, according to excerpts from a Keating radio broadcast (WHEC) as printed in Ibid., May 23, 1953, p. 33.

With the ending of hostilities in 1953, benefits for veterans became of increasing concern in Congress. When the Veterans Readjustment Assistance Act was passed extending the educational benefits enjoyed by World War II veterans to Korean veterans, Keating was one of its supporters.<sup>37</sup> Likewise, he sought in 1955 to broaden the educational benefits to include those in service up through January 31 of that year.<sup>38</sup> He referred to this attempt as a small, "...incident- al to a great step of putting our war weary nation — at long-last squarely on a peacetime footing".<sup>39</sup> President Eisen- hower, he indicated, was favorable to the idea.<sup>40</sup> "We must keep faith with the splendid young men and women who are giv- ing good years of their lives to keep our nation strong."<sup>41</sup>

Again in 1956 the Upstate Republican submitted a bill to make G.I. educational benefits available to all veterans, "...whether or not they served during a period of war or

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<sup>37</sup>  
Cong. Rec., 82 Cong., 2 Sess., (July 4, 1952),  
P. 9405, (HR7656).

<sup>38</sup>  
Ibid., 84 Cong., 1 Sess., (Jan. 27, 1955), p. 859.  
While indicating support, Keating, through questions directed to Congressman Teague (Chairman of the House Veterans Affairs Committee, and Democrat from Texas), established the point that all Korean benefits had been granted to these particular veterans through prior legislation, but the educational benefits had somehow been omitted.

<sup>39</sup>  
Ibid., p. 862.

<sup>40</sup>  
Ibid.

<sup>41</sup>  
Ibid.

armed hostilities". We must keep faith with our young people, he said at the time. "This is the finest and fairest reward we can offer."<sup>42</sup>

In discussing the idea of the federal government subsidizing veterans' education, the Congressman said that the original G.I. Bill had attained "fabulous success".<sup>43</sup> After ten years since its inception (1944 - 1945), over half of all personnel who served in World War II have acquired some training under the G.I. Bill, he noted. An additional 1,270,000 have, Keating claimed, benefited from the Korean Bill. The results have raised the nation's educational standards and increased veterans' income to such a point, the Congressman declared, that the government will have gained enough in twelve years from the users (through additional taxes) to pay the remaining cost of the program.<sup>44</sup> Likewise, in terms of the nation's security, we will be in a better position because these people have acquired additional skills, he added, especially in the field of engineering where Russia<sup>45</sup> threatens to overtake us.

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<sup>42</sup>  
p. 1071. Cong. Rec., 84 Cong., 2 Sess., (Jan. 23, 1956),  
p. 1076. The bill was HR8691, briefly explained on Ibid.,

<sup>43</sup>

Ibid.

<sup>44</sup>

Ibid.

<sup>45</sup>

Ibid.

In attacking another veterans benefit bill in 1957, Congressman Keating revealed an additional glimpse of his legislative philosophy. At this time he said:

...we should not pass legislation which is patently unconstitutional, no matter how worthy its objectives and consciously leave it to the courts to set us straight. The objectives of this legislation have my full support, but I feel that this legislation and the whole bill before us is in considerable jeopardy as being unconstitutional unless we remove from it this inclusion of funds which have actually been turned over to the guardian. 46

Probably reflective of his lengthy legal interests, this Keating argument centered around a proposal of the House Committee on Veterans Affairs relative to use of funds designated by the government to legally incompetent veterans who died while under federal hospital care. Provoking the Upstate Legislator's comments had been some by the chairman of the committee, Congressman Teague (D. Texas).

Keating maintained that funds already allotted by previous legislation for the upkeep of veterans could not legally revert to the Federal Treasury. "There are really in the first place two issues of funds that we are considering," he pointed out. "One, those built up hereafter; and secondly those already built up".<sup>47</sup> The first, he said, was still open to the dictates of Congress (as far as determining what hap-

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<sup>46</sup>  
Cong. Rec. 85 Cong., 1 Sess., (July 12, 1957),  
 pp. 11529, 11530.

<sup>47</sup>  
Ibid., p. 11529.

-pened to the funds upon the death of the recipient). The second, however, could not be further altered, he maintained. Congressman Teague had introduced the matter with the comment, "it was the feeling of our committee that the proper thing to do was to pass the bill and have the court decide the question".<sup>48</sup>

Mr. Keating spoke out again on the subject of increasing federal appropriations for burial of service veterans. When Congressman Feno (R. N.Y.) explained that his bill added 100 dollars per individual burial to the 150 dollar designation presently in force, Keating commended him and his cause. This is, he noted, an :

...excellent piece of legislation, which is very much needed. We have been waiting to get some action with reference to this problem for a long time. It deserves the support of every member of Congress. 49

The same year he joined the popular cause (the bill won 389 - 2) in support of a bill to grant a federal charter to the veterans of World War I. While speaking on behalf of the Judiciary Committee, Keating pointed out that the Grand Army of the Republic and the United Spanish American War Veterans had in their time received such charters. The American Legion, however, was formed by World War I veterans and

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Ibid., p. 11530.

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Ibid., 85 Cong., 2 Sess., (June 30, 1958), p. 12672. The point was made that it cost more than \$150 for a burial.

received such a charter. But today World War II and Korean veterans far outnumber the originators, he noted. The Congressman continued:

...these men [World War I veterans] naturally yearn to reestablish their own individual identity. They feel need also for an organization expressive of their particular needs. 50

Keating pointed out that a World War I group had been formed in 1949 with about 80,000 members. Now they desire and deserve this formal recognition, he said.

Summary and Conclusions. The public record of Mr. Keating seems to be rather similar to that of the majority of House members during this twelve year span. Roll call votes in this period readily indicate that publicly opposing a veterans bill was rather uncommon for both Mr. Keating and his cohorts.

There seemed to have been a comparatively small number of major veterans issues and for the most part, the remainder of Keating's commitments related to individuals or small groups of people to whom he could be of service. Nevertheless, in performing such service and in general, supporting veterans programs the Congressman was cementing an important friendship with a popular cause.

Whether or not the voting power represented by the veterans had any direct relationship with his support for such causes has not been determined by this study. However, his own experience as a soldier may well suggest a natural affinity between Keating and service personnel, although such need not preclude the possibility of an awareness on his part of the political value inherent in such a relationship.

In regards to personal attachments, the next chapter will seek to explore some of the more noteworthy commitments made by Mr. Keating regarding his home region of New York State. Under the title "Parochial Matters" this chapter will end the section which has been devoted to specific categories within the domestic economy realm. It will attempt to survey a variety of issues through which the Congressman's general commitment to the Rochester and Upstate region of New York may be scrutinized.

## CHAPTER VIII

### PAROCHIAL MATTERS

Although there may have been some who would have considered Mr. Keating an "at large" Congressman, part of the record from his House experience reflects a degree of parochial interests that can hardly be unexpected. In view of the political realities attendant with an elected official's responsibilities to his constituency it must be considered a foregone conclusion that Mr. Keating expended considerable effort on behalf of local people and local interests.

Though sources such as the Keating Papers reveal a good deal of proof that there flowed through these twelve years in the House a continuous stream of such efforts, this chapter will ignore the bulk of this multiplicity to concentrate only on some which seem to have had the potential for affecting the most people. However, in this regard, it may be indicative that one of the few recurring criticisms of Mr. Keating discovered in this survey was that he was playing the part of a "Messenger Boy".

In hopes of providing a record of the major Keating commitments regarding his home region, this chapter will cite approximately a dozen pertinent issues. They will occur in three individual sections.

First will be those examples of a relatively general nature which required only a "short term" reaction from the Congressman. Secondly, more specific local projects which for the most part seemed to gain a more extended interest of the Congressman have been grouped into another section. The final section is devoted to the Niagara Power Project and the St. Lawrence Seaway plan which though representing a potentially major influence on the Rochester region were neither centered within the environs of the Keating constituency, nor confined in their scope to purely New York effects.

#### General Examples of Keating's Parochial Interests.

One indication that the local congressman retained his interest in his home town was published in a local paper during his first session in Congress. This news item pointed to the fact that Mr. Keating had noted that through "legalized contrivance" the Federal Government was avoiding local taxes in Rochester which amounted to \$130,000.<sup>1</sup> Keating, the paper stated, proposed a bill authorizing the Federal Government to pay property taxes on buildings owned by them but leased to private firms for manufacturing purposes.

In another area of interest the local press reported at one point that the Congressman was "...devoting consider-

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<sup>1</sup>  
Roch. T. U., July 1, 1947, p. 6A.

-able time in attempting to have the Post Office Department permit the hiring of sixty more carriers..<sup>2</sup> for the Rochester postal system. Keating was quoted as saying that the local carriers were performing well "...under present conditions" but were having to carry loads in excess of standard amounts.<sup>3</sup>

An apparently inadequate supply of high grade copper in 1947 threatened to close several Rochester firms, and Congressman Keating gained a promise (according to a news account) from the House Ways and Means Committee that a bill of relief would soon be reported out of committee. Closing the plants, the Congressman is quoted as having said, could occur in as little time as a month and would throw thousands out of work at a time when increased production is vitally needed.<sup>4</sup>

When in the winter of the same year fuel oil became unusually scarce in Rochester Keating gained press attention by his efforts to seek the cause and determine a solution. He seems to have found no particular method of solving the

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<sup>2</sup>

Roch. T.U., Mar. 8, 1947 p. 1A.

<sup>3</sup>

Ibid. With no apparent attempt to relate this increased spending for postal matters, the same news article noted that Keating "firmly" approved of the proposed six million dollar cut from the Truman budget.

<sup>4</sup>

Ibid., Mar. 7, 1947 p. 1A. Among the Rochester firms said to have asked for help were Sav-U-Time Devices Inc., F.A. Smith Manufacturing Co., Rochester Products Division of General Motors, and the local Anaconda Copper Co.

problem, but in an apparent move to lessen fears he released information indicating that the national oil supply was "not necessarily low" and urged that local efforts be adopted to conserve what should be a nearly adequate supply. He blamed the shortage on the great increase in demand in the Northeastern region of the country as opposed to a lack of expansion of the means to transport the oil.<sup>5</sup>

Likewise in 1950 when the nation-wide coal strike appeared to threaten the local coal stockpiles, he was said to have called out publicly for President Truman to act. Keating was quoted as saying that the Rochester Gas and Electric Corporation had less than a fifteen day supply of gas coal and only twenty one days of steam coal left. Since this utility provided service to all of Rochester and much of the adjacent area, a lengthy coal stoppage in the middle of winter would bring serious consequences, he indicated.<sup>6</sup>

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<sup>5</sup>

Roch. T.U., Dec. 23, 1947, p. 1A.

<sup>6</sup>

Ibid., Jan 23, 1950, p. 19. About a year prior to this a Rochester paper printed the following: "In view of 'much loose talk' in Albany and Washington about power shortage, Alexander M. Beebee, President of the Rochester Gas and Electric Corporation takes occasion to reassure patrons. He says there is no power problem in Rochester because our expansion program has given us substantial and adequate reserves."  
Ibid., Jan 12, 1949, p. 14A.

Were it not for direct railroad lines from the Western Pennsylvania coal fields to Rochester there might be more grounds for wondering why Keating had greeted a proposal to build a canal to the region with a lack of enthusiasm. Ibid., Jan. 12, 1949, p. 14A.

Some proposed flood control projects seem to have gained enactment with the support of Congressman Keating and that of other "Genesee Country" congressmen. Chief among these was perhaps the building of a dam across the Genesee River at Mt. Morris, New York. The project seems to have gained a start through the House Ways and Means Committee (with no indication of Keating influence having been discovered in this study) in early 1948 after a reported agreement had been reached not to include provisions for its future use as a hydroelectric project.<sup>7</sup>

However, the proposal did not clear all enactment obstacles until October 1951 when the President signed what was described as a "sharply trimmed bill" appropriating \$597,262,713 for a combination of this and similar projects around the nation. Included in the appropriation was five million dollars specifically allocated for the Mt. Morris project.<sup>8</sup> When, however, the project was completed the next year (ahead of schedule) it was reported to have cost a total of nineteen million dollars.<sup>9</sup>

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<sup>7</sup>  
Roch. T.U., Feb. 10, 1948, p. 3A; Roch. Dem. Chron. Feb. 25, 1948, p. 15. There were no roll call votes on this proposal in either 1948 or 1951.

<sup>8</sup>  
Roch. T.U., Oct. 25, 1951, p. 25.

<sup>9</sup>  
Ibid., June 25, 1952, p. 1.

Specific Projects of a Parochial Nature. Excise taxes on photographic supplies seems to have been of some concern in Rochester, especially in the summer and fall of 1949. This interest seems to have reached a peak at this time when "about two thousand" employees of Rochester's Eastman Kodak plants signed petitions for repeal of the tax they had labeled the "camera tax".<sup>10</sup> Earlier, Keating had gained some identification with this movement when a local newspaper quoted him as having told House cohorts that this part of the excise tax (that covering photographic supplies) was "discriminatory, unfair and oppressive".<sup>11</sup>

He was further quoted as saying that the fifteen per cent tax on sensitized goods and the twenty five per cent levy on photo equipment were restricting commercial photographers' plans for expansion as well as curtailing sales.<sup>12</sup> Somewhat in relation to the effect this might have had on the community was a press report a few weeks later on local unemployment. This indicated that Rochester's employment picture

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<sup>10</sup>

Roch. T.U., Nov. 3, 1949, p. 35. Supra p. 62.

<sup>11</sup>

Ibid., July 12, 1949, p. 16.

<sup>12</sup>

Ibid.; Among other losses said to have been attributed to the excise tax by Keating was a loss suffered by the federal government. The news item quoted the Congressman as saying that not only did the government lose on income taxes from Kodak workers, but also, "widespread" unemployment in the area means an increase in federal spending for unemployment benefits. In August he blamed the excise tax for throwing "thousands" out of work (Ibid., Aug. 16, 1949).

had changed somewhat without help directly related to any tax changes. The report stated that Eastman Kodak was stepping up operations to the degree that their workers were generally back on a forty hour work week, except for the Camera Works which showed, "...no indication of pickup in camera and accessory sales".<sup>13</sup> In general, the report noted that Rochester's unemployed ranks had decreased in number from 22,000 in early August to 18,000 in early September.

Record high water levels on Lake Ontario during several months of 1951 and 1952 brought Mr. Keating into one of the lengthiest (and from some appearances, perhaps one of his least productive) dialogues of his Congressional career.<sup>14</sup> His initial approach to the problem which was to threaten an estimated eighty homes and cottages on one beach alone (and many times this along the multiplied miles of other beaches in the area) seems to have been made in July 1951.<sup>15</sup> At this

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Roch. T. U., Sept. 8, 1949, p. 29. A Rochester paper in November of this year announced that 30,000 employees would share an all time high Kodak Wage Dividend of eleven million dollars (Ibid., Nov. 15, 1949, p. 1.).

14

In June 1952 the lake (Ontario) had risen to 249.29 feet above sea level. This was said to be five feet higher than "normal" and the highest in the ninety two years that such records were kept. Roch. Dem. Chron., Feb. 14, 1966, p. 2

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Damages estimated by the United States Army Engineers in June 1952 totaled \$7.7 million for the entire Lake Ontario coastline on the American side. The Rochester region's damages was said to be \$3.3 million of this total. Roch. T.U., June 19, 1952, p.1.

he asked the federal government to investigate reports that "...the reversed flow of two Canadian rivers is raising the level of Lake Ontario".<sup>16</sup>

Apparently convinced that this combined with the effect of a dam (Gut Dam) built on the St. Lawrence River was at least partially responsible for the high lake levels and resulting water front damages in the Rochester area, Keating suggested in the spring of 1952 that affected residents sue Canada "if that government doesn't consent to referral of the high water problem to the International Joint Commission by the end of the week".<sup>17</sup>

A dialogue developed on the subject between area Congressmen, the United States State Department and the International Joint Commission, and this was to continue intermittently for the remainder of both the House career of Mr. Keating and his term in the Senate. As far as success is concerned, the matter did gain the attention of the International Joint Commission, as has been stated. Likewise, the rivers were apparently realtered so as to once again empty into the

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Roch. T. U., July 5, 1951, p. 17. The rivers in question were the Ogoki and the Long Lac which during World War II had been diverted from Hudson Bay into Lake Superior for hydroelectric purposes.

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Ibid., Mar. 13, 1952, p. 27. One report claimed that Gut Dam had been constructed in 1902 by Canadian interests, with United States permission (Ibid., April 2, 1952, p. 31).

Hudson Bay (this seems to have been done about early May in 1952).<sup>18</sup> Too, by (apparently) a surprise move at the height of the 1952 election campaign the Canadians announced the immediate removal of Gut Dam to permit the runoff from Lake Ontario to flow more freely into the St. Lawrence River.<sup>19</sup>

Engineers at the time had estimated that Gut Dam, by holding back this flow to the sea could have raised the lake level several inches.<sup>20</sup> However, areas of dispute regarding liability claims were apparently strong enough to prevent them from being settled at least through the middle 1960's.<sup>21</sup> Congressman Keating, though, had repeatedly identified himself with the cause of the claimants to such a degree that the group's spokesman was in 1958 willing to commit his organization to helping the Republican Legislator get elected to the Senate.<sup>22</sup>

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Roch. T.U., Aug. 19, 1952, p. 19.

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An inter office memo (from Sue, Oct. 31, 1952 and addressed "Dear Gals". Keating Papers.) seems to indicate that at least members of Keating's office staff were surprised at the timely announcement.

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Roch. T.U., April 2, 1952, p. 31.

21

By Feb. 1966 the first of 400 claims totalling \$4.8 million (at this time) for local property damages had not yet been heard by the international arbitration tribunal (Roch. Dem. Chron., Feb. 14, 1966, 2C.

22

Letter from Norman Atterly, President of the Lake Ontario Land Development and Beach Protection Assoc, Inc., to Congressman Keating, Sept. 24, 1958, Keating Papers.

Another local issue attracting Congressman Keating's continuing efforts makes the Gut Dam — Lake level damages question seem somewhat transitory in nature. This matter related to Irondequoit Bay and what Keating described to House cohorts as "...fruition of a dream nearly a hundred years old".<sup>23</sup>

The bay, a natural playground for fishing and sailing craft near Rochester's eastern boundary, has for generations been handicapped by a low railroad bridge located across its only outlet to Lake Ontario. Varying estimates for the combined work needed to replace the bridge with a higher span and dredging the bay itself have been considered prohibitively high if state and local funds were to be the only available source of revenue for the project. Yet recreational possibilities of the bay area have been described as something approaching the ideal for boating and fishing if ready access and exit could be obtained.

That the matter in 1967 still persists as a topic for periodic review and discussion with the Army Engineers is testimony to the fact that neither Congressman Keating nor his successors have found the degree of success in this matter which many hoped for. But this is not to suggest that on

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<sup>23</sup>  
Cong. Rec., 85 Cong., 2 Sess., (Mar. 11, 1958),  
p. 3997.

several occasions they did not try.

After several attempts by Keating over the years, to have Congress provide a portion of the needed funds, success was probably closest in 1958. By this time the Corps of Engineers had again expressed satisfaction that the ratio of benefits to cost had justified the project, the Bureau of the Budget had given its approval and "local interests" had shown "willingness and ability" to carry out their end of the financial burden. But the plan still did not succeed.

When it came before the House as part of a combined rivers and harbors bill, Keating himself voted against the entire package. He attributed this action, however, to the cause of economy by pointing out that one out of five of the projects in this omnibus measure had not (as the Irondequoit Bay project had) gained the necessary "technical or fiscal justification".<sup>24</sup> If we pass the bill in its present form, Keating told colleagues, "I fear the President will again be forced to veto it".<sup>25</sup> According to the Congressman, the President "...will be justified in doing so, since he, also, has a solemn responsibility to look out for the interests of the

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<sup>24</sup>  
p. 3997. Cong. Rec., 85 Cong., 2 Sess., (Mar. 11, 1958),

<sup>25</sup>  
Ibid.

26

American taxpayer".

When efforts finally failed to provide the "good clean surgical job" which Keating and others suggested for the bill (S497), it was defeated with Keating's help.<sup>27</sup> The fact that almost immediately another, less encumbered rivers and harbors bill containing the Irondequoit Bay funds arrived on the House floor may indicate that Keating's negative vote on S497 had been cast with the knowledge that a "better" such bill was just around the corner.

But the new measure (S3910) likewise failed to gain enactment. Keating voted "yea" when the bill came up for passage, but as he left his House career behind there was little in the way of tangible success to which he could point as far as "fruition" of the Irondequoit Bay Project was concerned.<sup>28</sup>

Construction of a Rochester area war memorial auditorium, however, ultimately gave Mr. Keating considerably more evidence of success for his efforts. Though reaching the talking stage soon after the close of the war, the proposal

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<sup>26</sup>  
p. 3997. Cong. Rec., 85 Cong., 2 Sess., (Mar. 11, 1958),

<sup>27</sup>  
Ibid., p. 4034.

<sup>28</sup>  
Ibid., (June 18, 1958), p. 11626.

for such a structure did not gain the necessary tentative approval of the Chief of National Production Authority until December 1950.<sup>29</sup> Local planning delays and a partial ban imposed on certain types of public construction during the post war housing scarcity had apparently destined the project to this slow rate of progression.

According to a Rochester newspaper, the tentative permission granted by the National Production Authority had come as an exception to a general ban on new buildings intended for "entertainment purposes".<sup>30</sup> It had been received, the paper said after support from Senator Herbert Lehman (D. N.Y.) and the two area Congressmen (Keating and Wadsworth,<sup>31</sup> both mentioned) had been announced for the project. According to the report, the Production Authority justified their exception to the ban at this time on the grounds that; "...a hardship will exist if you are not permitted to proceed at this time with the project."<sup>32</sup>

Formal approval for purchase of the needed material, however, was slow in arriving. A year and a half later when the press announced that Rochester's project (which was still

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<sup>29</sup>

Roch. T.U., Dec. 12, 1950, p. 1.

<sup>30</sup>

Ibid.;

<sup>31</sup>

Ibid.;

<sup>32</sup>

Ibid.

awaiting materials) had apparently been reclassified from "municipal" to "recreational"; therefore lowering it on the priority list, Congressman Keating was said to have made efforts to help "clarify" the situation with federal officials.<sup>33</sup> In the late summer of 1952 it became apparent that the National Production Authority had "postponed" at least until Jan. 1, 1953<sup>34</sup> permission for purchasing the material for the project.

At this time Congressman Keating attributed the lack of success in gaining the needed material to the national steel strike which had recently upset the Production Authority's planning for the allotting of available material.<sup>35</sup> He was said to be somewhat satisfied, however, to have won for Rochester a, "...slightly higher priority than that assigned to other purely recreational projects..." by arguing that the Memorial had important civic and civil defense functions as well as recreational entertainment uses.<sup>36</sup>

After many of the parties involved in the War Memorial planning seemed to have accepted the additional delay in initiating construction, suddenly word arrived that the needed

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<sup>33</sup>

Roch. T. U., Dec. 12, 1950, p. 1.

<sup>34</sup>

p. 16.

Ibid., Aug. 5, 1952, p. 15;

Ibid., Aug. 19, 1952,

<sup>35</sup>

Ibid., Aug. 5, 1952, p. 15;

<sup>36</sup>

Ibid.

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material was now available. Coming as it did (along with word of the removal of Gut Dam — relative to the pending damage claims from the high lake waters) near the end of Mr. Keating's 1952 political campaign, the word could hardly have provided anything but benefit to his chances of reelection.

Intermittent front page attention had been focused on the War memorial plan for the last few years, and notice was afforded the various efforts (including Keating's) to unfreeze the situation. The federal body's timely announcement that materials could now be purchased not only opened the way to immediate, unimpeded construction of this, the largest recreational and convention facility in the area, but along with nearly simultaneous announcements of removal of the Gut Dam offered constituents front page evidence of Mr. Keating's successful efforts on their behalf.

37

Roch. T.U., Oct. 30, 1952, p. 1.

38

Inter office memo, Oct. 31, 1952, Keating Papers.

This read;

"Dear Gals, we are just hilarious over the Gut Dam removal and immediate construction orders for the War Memorial. Things are breaking out just right. Just imagine after the several years it has taken to get action, we should get it just before election. Sure blew a couple of Democrat issues to smithereenes." (signed "Sue").

In view of the fact that the War Memorial success was carried on the front page (footnote 37) the sentiment revealed in the memo may be reinforced.

The Niagara Power Project and the St. Lawrence Seaway.

Probably all New York taxpayers had reason for particular interest in two other issues which might rank among the most important issues handled by Congress (related specifically to this state) during Representative Keating's six terms in office. These centered around control and development of potentials offered by the Niagara and St Lawrence Rivers.

Though early agreements in Congress seem to have been reached regarding the advantages of harnessing the Niagara flow with a major hydroelectric facility, and developing the St. Lawrence River into a more practical channel for large ships, a question of who should build and control the projects eluded solution for some time.<sup>39</sup>

When in 1953 the House approved Congressman William Miller's (R. N.Y.) plan to let private utilities (including Rochester Gas and Electric) construct the Niagara power project, Congressman Keating supported the measure.<sup>40</sup> At this time Keating stated, "my philosophy is that our country

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A news release dated Sept. 19, 1958 and printed in Keating's New York campaign office referred to a speech delivered by the Congressman in Fulton, New York. In this Keating blamed the "two decade delay" for the Seaway project on the insistence of Truman and Roosevelt on federal control.  
Keating Papers.

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Roch. T. U., July 10, 1953, p. 8. Miller was from Lockport, N.Y. and his Congressional District included Niagara Falls.

achieved its greatness and will maintain its strength largely by encouraging private initiative"<sup>41</sup>. It may be of interest to note that in supporting this plan, Keating and Miller along with every New York House member except one opposed the state's governor, Thomas E. Dewey, who was openly in favor of construction and control of the project by the New York State Power Authority.<sup>42</sup>

The proposal died in the Senate that year, however, and efforts on the part of many to see something of a similar nature achieve enactment did not gain access to either the floor of the House or the Senate for the next few sessions of Congress. In 1956 a local newspaper quoted Mr. Keating as having repeated his stand on this subject with the following words.

I believe that when private enterprise is ready able, and willing to do the job it is better to let private enterprise do it than to turn it over to the government.... Nothing has been shown to me by evidence or argument that has caused me to change my views.<sup>43</sup>

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Ibid.

42

Ibid., July 10, 1953, p. 8. Congressman Jacob Javits was the lone dissenter.

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Cong. Rec., 83 Cong., 1 Sess., (July 9, 1953), p. 8410, (HR4351); In 1954 a Senate bill would have given the Federal Power Commission the right to control the project, but this was not acted on by the full Senate before adjournment. Both Houses held hearings on Niagara power bills in 1955 but none reached the floor. A 1956 bill passed the Senate but gained no action in the House.

A modification of many men's views seems to have been hastened, however, when in the summer of that year a rock slide in the Niagara Gorge destroyed much of Niagara Mohawk Power Corporation's Schleilkoph Plant at Niagara Falls. Substitute power, said to be largely imported from Canadian sources across the river, was acquired to keep electrometallurgical and electrochemical industries in the vicinity operating until a new hydroelectric development for the American side of the Niagara River could be built.<sup>44</sup>

Although President Eisenhower was reported to have included the Niagara power proposal on a priority list passed to Congressional leaders a month later, the (1956) national party conventions hastened the adjournment of Congress with the bill in question not yet out of the House Rules Committee.<sup>45</sup> The following year, in his budget message, he prodded Congress by calling for "prompt" action toward finding a Niagara power solution.<sup>46</sup>

A compromise bill passed and signed into law in August of this year (1957) gained Congressman Keating's support

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<sup>44</sup>  
Congressional Quarterly Almanac, Vol. XII, 84 Cong., 2 Sess., (Congressional Quarterly Inc. 1956, Washington D.C.), p. 502.

<sup>45</sup>

Ibid.

<sup>46</sup>

Ibid., Vol. XIII, 85 Cong., 1 Sess., p. 626.

at this time even though it directed the Federal Power Commission to license the Power Authority of the State of New York for construction and operation of the project.<sup>47</sup> According to the provisions of the new law, preference for fifty per cent of the power generated by the new plant would be given to "public bodies" and non profit cooperatives within economic transmission distance.<sup>48</sup> But, otherwise, privately owned power companies presumably could purchase large percentages of the overall output.<sup>49</sup>

Therefore, the project initiated with the culmination of a treaty signed with Canada in 1950 had now, seven years later, received final approval with Mr. Keating's support. Perhaps some of his thinking as he considered the various provisions of the plan may have included those which by providing cheap and plentiful power could prove beneficial to his home Rochester area. Although this cannot, of course, be established as fact by this survey it is a fact that at the

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<sup>47</sup>  
p. 13364, Cong. Rec., 85 Cong., 2 Sess., (Aug. 1, 1958),  
(HR8643).

<sup>48</sup>  
Congressional Quarterly Almanac, Vol. XIII, loc. cit.

<sup>49</sup>  
Under the original provisions, Niagara Mohawk Power Corporation was allocated 445,000 kilowatts from the estimated two million kilowatt yield of the project to replace the output of their destroyed Schoelkopf Plant. The capacity of the destroyed plant had been 365,000 kilowatts.

present time Rochester Gas and Electric Corporation does purchase from the State Power Authority's Niagara Power Plant "about thirty per cent" of the power it passes on to its own customers.<sup>50</sup>

While the development of the Niagara River's hydroelectric potential promised Upstate New York a wealth of inexpensive power, development of the St. Lawrence Seaway promised to bring world mercantile opportunities to the area's front door. As might be expected, however, the project appears to have lacked the support of several groups including some eastern railroads, organizations representing Atlantic and Gulf seaports, coal producers and private utility groups.<sup>51</sup> president Eisenhower, however, was among those firmly supporting the idea.

Although construction of the Seaway would represent significant opportunity to Rochester and its port at the mouth of the Genesee, Congressman Keating's interest in it

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Confirmed May 19, 1967 by a phone conversation between the author and Mr. Donald Thomas, Superintendent of the Load Dispatcher's Office, Rochester Gas and Electric.

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From a list that probably included others who showed little enthusiasm for the project, a Rochester paper published this list (Roch. T.U. May 5, 1954, p. 1.). Near the climax of the 1954 battle over the Seaway, a Citizens Public Expenditures Survey is said to have tried to influence New York Congressmen against the project because it would mean a loss in commerce for New York City, Albany and Buffalo to Canadian cities (Ibid.).

seems to have gained little public attention. One of the minimal number of Keating notations to be found in the Congressional Record on this matter was made in 1954 when the Rochesterian sought to amend the wording of the proposed Seaway Bill. His amendment, he explained, was:

...offered for the purpose of protecting thousands of property owners along the shores of Lake Ontario who have suffered so severely from high water levels. 52

The bill authorizing the Seaway construction gained Keating's support, and House passage for it came in May 1954. Soon after the passage of the bill, the Upstate Republican observed:

The curious thing which occurred to me as we debated the bill was that we Americans as we are, have been able to postpone so long a project so inevitable and so vital to the continued growth and development of our entire nation; perhaps never before in our history has an economic necessity stared us so long in the face with so little recognition on our part. Probably even now action might not have been forthcoming had it not been for the national defense aspects of the problem. 53

Keating explained that a main military consideration in this respect was Canada's threat to go-it-alone if the United States would not help. The result, he said, would have left control of foreign shipping in "American waters"; the priori-

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Cong. Rec., 83 Cong., 2 Sess., (May 6, 1954), p. 6135.

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Excerpts from a Keating radio broadcast (WHEC) published in Roch. T. U., May 10, 1954, p. 11 (There appears to have been some typographical difficulty, but the intent is apparent.).

-ties of cargoes in times of war, and the defense of the Seaway all in "foreign" hands.

The 1954 Seaway bill set up a St Lawrence Seaway Development Corporation authorized to sell up to \$105 million in bonds to the United States Government. Estimated costs, however, by three years later had jumped to \$133 million. Therefore, in 1957 Congress passed a bill (HR5728) deferring interest on the bonds until 1960, and increasing the borrowing authority of the Seaway Corporation from \$105 million to \$140 million. Unfortunately, the fact that this bill passed the House without a roll call vote deprives a researcher of a valuable record of Keating's feeling about this particular bill. At any rate, however, construction of the Seaway soon opened Rochester's port to the realities of many ocean-going vessels and the opportunities which this represented.

Summary and Conclusions. It seems likely that the several examples chosen for mention in this chapter characteristically reflected the approach used by Congressman Keating toward the wide multiplicity of local matters which faced him each year. A possible exception to this would be the admitted loss by this chapter's failure to include a concentration upon Keating's personal efforts to aid individuals, but in numerical terms this could have offered a lengthy study in

itself. In general, it should be stated that the material reviewed for this survey has yielded virtually nothing to suggest that Congressman Keating, in regard to the matters of direct concern to his home people, was not both energetic and astute in his pursuit of the desired objective.

In this regard, it may be proper to conclude that of the several examples cited in this chapter, nearly all by their individual natures possessed a unidirectional characteristic. For example, a reader would not expect to find published statements to the effect that the local Congressman opposed removal of Gut Dam, rebuked his constituents for wanting a more adequate supply of coal and oil, or flatly refused to help them get needed materials for the War Memorial.

Therefore, perhaps more significant than these matters would be the examples in this chapter which lack this unidirectional nature. For instance, a case could clearly be made for opposite sides of the Niagara and St. Lawrence Seaway plans. And in practical terms, an assumption might be made that a political figure could encounter much less risk by publicly committing himself on topics which would not automatically alienate him from a portion of the voters.

If such an assumption could accurately be related to this chapter, it might reflect positively on the political acuity of Congressman Keating by removing something of a

mystery relative to the lack of public commitments discovered in this survey on the Niagara and St. Lawrence issues. It does seem apparent that the same reseaching methods which yielded an abundance of material on some topics for this survey provided little specifically on these two major proposals. But whether or not the previously mentioned assumption can provide an accurate explanation to this apparent lack of commitments has not been determined by this study. It seems evident, however, that Mr. Keating made few if any noteworthy errors on his published, public record of views relating specifically to parochial matters. If this be true, his image as a Congressman could hardly have suffered from the effects of such topics.

The following chapter will focus for the most part on the conduct of officials, and the procedural conduct of courts and Congressional Committees. This will mark the beginning of a section of the Keating legislative image encompassing the general theme of "Domestic Security".

## CHAPTER IX

### PROCEDURAL CONDUCT IN GOVERNMENT

A preliminary indication of the significance which Mr. Keating attached to the matters of domestic investigations, internal security and law enforcement may be found in the fact that he submitted bills on these topics more than fifty times between 1947 and 1958. In this, the first chapter in the new section, an attempt will be made to survey a portion of these bills plus appropriate commitments of other types, which, when combined will hopefully reflect the philosophy that Mr. Keating's actions revealed to the public. Since the chapter will be relatively short, it will contain only a single section plus a short summation at the end.

A few years after the end of his House career, Ken Keating was to summarize some of his thinking in the following words:

In its most noble sense, the function of government is to maintain a political and economic climate in which man can achieve his fullest development. With this view of the objectives of government, politics and ethics become blood brothers. The political leader with a firm moral instinct best serves the people and the cause of good government. 1

While still a member of the House, however, there seems to have been several occasions when the "blood brothers" of

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Kenneth B. Keating, Government of the People (New York: The World Publishing Company, 1964), p. 49.

ethics and government may not have seemed as close as some would have guessed. In 1951, for example, rumblings of the "Mink Coat", "Deep Freeze" and "West Point" scandals had apparently helped turn the public eye from such ideals as these. In August of that year, therefore, Keating was said to have told his Rochester radio audience that he was encouraging progress on his bill setting up an ethics code for government officeholders.<sup>2</sup> He continued:

While there can be no substitute for plain, garden-variety honesty at all levels in our government, nevertheless a code would make it easier to deal promptly and justly with those who are not strong enough to resist the temptations that goes with responsibility.<sup>3</sup>

The Congressman called the West Point scandal "'a great tragedy,'" and although saying that he did not condon the cadets' actions, added:

I can understand how these young men yielded to temptation. They certainly have witnessed plenty of wrong doing in high levels of government which was permitted to go unpunished.<sup>4</sup>

A few weeks later on his radio report, the Congressman is said to have expressed amusement over President Truman's suggestion that all elected and appointed officials

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<sup>2</sup> Roch. T. U., Aug. 6, 1951, p. 20. This article includes excerpts from Keating's radio talk (WHEC). The above was a direct quotation from the Congressman.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

whose incomes exceed \$10,000 yearly be required to account<sup>5</sup> for all outside income. Keating was quoted as saying that he could support such a plan, but added, "...such measures which have been in the legislative hopper a long time never have enjoyed the nod of Executive favor until now"<sup>6</sup>.

Following his attempt to gain enactment of his ethics bill, Mr. Keating gained some local press attention during the Eighty Third Congress for submitting a bill to establish a code of fair play. This would perhaps have been newsworthy to a degree on its own right for it attempted to standardize the rules (Primarily for safeguarding the rights of witnesses and those named by witnesses) for conducting the numerous Congressional investigations. But the Keating bill probably acquired a new impetus from the fact that it likely had some bearing on Mr. Keating's own recent endeavors as an investigator (see Chapter XI), and it seemed also to carry some implications related to the famous Army — McCarthy Hearings.

At one point the Congressman called these (McCarthy) hearings, "'that long dragged-out television show,'" and suggested that a lot of Congressmen:

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<sup>5</sup>  
Roch. T. U., Oct. 1, 1951, p. 29.

<sup>6</sup>  
Ibid.

...are a lot more interested in good fair rules of procedure than they ever have been in the past because of the problems that are so dramatically brought to light in connection with the Army-McCarthy Hearings. 7

After submitting his fair play code bill in 1953, he noted that over one hundred Congressional inquiries were presently underway and twice that number of requests for investigations were pending.<sup>8</sup> In this regard, he was quoted as saying:

many of these are perfectly sound ... yet there have been enough "runaways" to subject Congress to severe criticism and enough duplications, sinecures and water-hows to threaten to discredit the entire investigative process. 9

Continuing in words, perhaps among those most revealing as to his philosophy of a Congressman's responsibility, he discussed a problem affecting Congressional probes in general. The fact is, he said:

...that our reading, listening and watching public are avid for entertainment rather than for cold dry information about the workings of government.

Sometimes, I suspect it is more effective, vis a vis the press gallery, to be sensational or contentious than to be fair or reasonable, or even right ... I would not condemn a figure in public life for keeping

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<sup>7</sup>  
Roch. T. U., June 1, 1954, p. 27. This is a direct Keating quotation found within published excerpts of his radio (WHEC) speech.

<sup>8</sup>  
Ibid., May 5, 1953, p. 3. This article is composed of excerpts from a speech before the American Bar Association in Richmond, Va.

<sup>9</sup>  
Ibid. This is a direct quotation.

his eyes on the press gallery... [nor would he condemn the news media for] merely ...serving the tastes and interests of their respective publics.

But the interaction of these elements, day in and day out tends seriously to complicate our efforts towards objectivity and restraint. 10

Several months later President Eisenhower's use of the "fair play" phrase at one point seems both to have revealed a basic agreement with Keating's appraisal of this "press gallery" problem regarding probes, and too, perhaps inadvertently reinforced the contention suggested earlier in this chapter that the Keating "Fair Play Code" had some relationship with the McCarthy Hearings. At this time in question the President was said to have spoken out harshly against, "...disregard of the standards of fair play," during the Senate McCarthy Hearings.<sup>11</sup> He was particularly careful to specifically praise Brigadier General Ralph Zwicker — the subject of lengthy aspects of these hearings.

The implication of this action seems to have some significance pertinent to this Keating bill. Zwicker, who had reportedly been called "unfit for command" by Senator McCarthy, likely had received the type of treatment as a witness in these hearings that Keating and others were now

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Roch. T. U., May 5, 1953, p. 3. A direct quotation.

11

Ibid., Mar. 3, 1954, p. 1.

suggesting should be outlawed by adoption of a standard set of acceptable rules to govern proceedings in all Congressional Committees.

In this regard, Keating's bill, which seems to have paralleled some in the Senate submitted by Wayne Morris (Indep. Ore.) and Estes Kefauver (D. Tenn.) would guarantee legal counsel for any witness speaking before a public hearing conducted by a Congressional Committee.<sup>12</sup> Likewise any person (witness or otherwise) who felt his reputation had been violated by others words or actions during such hearings could gain an opportunity to defend himself by offering testimony or sworn statements, or by having witnesses called by the committee to speak on his behalf.<sup>13</sup>

"Witnesses sometimes feel oppressed and badgered, and at times their complaints appear to be justified," Keating was quoted as saying. He added the point that the courts, on occasion, have shown their disapproval of some committee proceedings by acquitting defendants who have been cited for

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Telford Taylor, Grand Inquest-- The Story of Congressional Investigations (New York: Simon and Schuster, 1955), p. 252. Taylor notes that abuses by "...controversial investigations and investigators have now led to a veritable flood of... 'codes of fair practices'". He cited four other Representatives who submitted such bills (other than Keating) in the Eighty Third Congress and numerous Senators. Keating's "fair play" proposal passed the House Aug. 3, 1954 but died in the Senate.

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Roch. T.U., Mar. 13, 1953, p. 15.

contempt because they refused to cooperate with such committees. The Congressman continued:

The necessary investigative processes must not be allowed to fall into disrepute. The powers of Congress in this area are of vital importance to the welfare of the nation. As these powers broaden, we must accept clear restraint and that means primarily formalizing and adopting self-imposed restraints. 14

In addition to his "fair play" proposal and the previously discussed ethics bill, Keating gained considerable recognition in the press for his "immunity bill." Apparently designed to protect fifth amendment witnesses, the Keating bill eventually was signed into law (Aug. 20, 1954).<sup>15</sup> It provided for the granting of immunity to certain witnesses in national security cases where refusal to testify had occurred because of the self incrimination restraint of the Fifth Amendment. The objective of the bill, of course, was to encourage testimony by removing the possibility of prosecution that ordinarily would have followed self incrimination.

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Roch. T. U., Mar. 13, 1953, p. 15; An editorial "Keating Remodels Rules for Probes" (Ibid. Mar. 16, 1953, p. 14) said, "...Keating is making a valiant effort to guard both the rights of Congress and of individuals."

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Ibid., Aug. 20, 1954, p. 3; This bill passed the House (Ibid., Aug. 5, 1954, p. 11.) and on the same day the House passed by voice vote another measure proposed by Congressman Keating. This one was designed to give investigating committees, "...authority to ask for a court order compelling 'defiant and recalcitrant witnesses to testify!'"  
Ibid.

16  
 -ating testimony. Later, Keating introduced a bill to broaden this immunity grant. This new bill would grant immunity to witnesses not only in national security hearings held by Congressional Committees, but also would permit such a grant to witnesses before courts and grand juries in any case involving felony charges under federal law.<sup>17</sup> In defense of his proposal Congressman Keating declared: "enactment of this bill can strike a vital blow against those high stepping racketeers who are bilking our country of millions of dollars"<sup>18</sup> He noted that no one state could handle, "these crooks" since they cleverly operate on an interstate basis and thus elude law enforcement officers of any given state. "This bill would add a much needed weapon to ... the nation's arsenal against crime"<sup>19</sup>; the Legislator said.

He noted that immunity would be granted under his bill

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Roch. T. U., Jan 7, 1954, p. 2. Here Keating was quoted as having said that he had some "misgivings" about bargains with wrongdoers, but is said to have added that if we do so, "...it is absolutely imperative that we not do so blindly. And the only federal officer who can absolutely avoid that is the Attorney General," -- who would under Keating's bill be the one to determine who should be granted such immunity. Later (Ibid., Aug. 12, 1954, p. 4.) Keating called this bill, "...one of the key measures in the Administration's legislative program to combat subversives." No legal American," he said, "can possibly be injured by the passage of this legislation." A direct quote.

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Cong. Rec., 85 Cong., 2 Sess., (June 23, 1958), p. 11986.

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Ibid.;

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Ibid.

by a federal judge upon application by the United States attorney (with prior approval of the Attorney General).

The Congressman added:

In return for his testimony the witness would be granted immunity from prosecution with any transaction as to which he had testified. This would be a fair bargain for all concerned. The small time crook could clear his conscience and his valuable testimony could be employed to bring big time racketeers to book. 20

Two weeks later Keating referred to his bill again on the House floor in regard to the stalemated Goldfine vicuna coat scandal hearing. My bill, the Upstate Republican said, "...offers an immediate and equitable solution". For example, Goldfine's refusal to testify could have required him to appear, "...that very day in the district court to adjudicate the issue of the relevancy of the disputed questions".

He told House colleagues:

...our Legislative Branch cannot pass proper laws without ascertaining the need for them through proper investigation. But the present procedure for compelling testimony is unwieldy and unfair to all concerned. 23

Keating noted that his bill (HR2599) had been unanimously passed by the House in both the Eighty Fourth and Eighty

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Ibid.

21

Ibid., (July 9, 1958), p. 13309.

22

Ibid.

23

Ibid., Congressman Keating, in supporting his bill, told House cohorts that it had the support of the American Bar Association.

fifth Congresses, but now is "bogged down" this year in the Rules Committee. Enactment of this measure, he said: "... would constitute the most constructive step that could be taken by Congress toward increasing the efficiency of the investigatory practices".<sup>24</sup>

Another issue regarding Congressional hearings and court proceedings brought a sizable degree of public attention to Congressman Keating's endeavors. The case in point involved the right of a justice to appear in litigation proceedings as a character witness.

In 1949, after Justices Frankfurter and Reed had appeared as character witnesses in the Alger Hiss perjury trial, Keating submitted a bill to outlaw such actions on the basis that the justice could ultimately be asked to review the case on an appeal. He submitted his bill again in following sessions of Congress, and on several occasions debated the idea both on and off the House floor.<sup>25</sup>

There seemed to have been several other issues relating to precedural conduct which gained considerably less public attention than these mentioned in this chapter. One

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<sup>24</sup>  
p. 13309. Cong. Rec., 85 Cong., 2 Sess., (July 9, 1958),

<sup>25</sup>  
Mr. Keating spoke on this topic specifically several times. Examples can be found in Roch. T. U., Aug. 5, 1949 where excerpts are published from a nationwide radio broadcast (CBS) made by the Congressman.

example of this was in the form of a bill submitted by the Upstate Legislator in 1957. It was intended, Keating said to provide protection of F.B.I. files by using a judge as a "screen" to determine what F.B.I. material should, in the interest of national security be opened in a public spy trial. Somewhat similar was another Keating bill to grant the United States Government the right to appeal in criminal prosecutions where court orders suppressed the evidence on which the United States attorneys' case might depend. A third such Keating commitment relative to this topic came in the form of comments he was quoted as making in favor of "minimum secrecy" in Congressional hearings.

According to a local newspaper, he said:

Ever since I have been in Washington, I have felt that government departments often tried to cover their own mistakes or deficiencies by asking for secret hearings before Congressional Committees. Of course there are many matters involving national security which must be dealt with in the executive sessions.

However, where a Congressional Committee is looking into the administration of existing laws and the national security is not involved, it should not be hamstrung by having a government department insist on secret hearings.

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<sup>26</sup>  
2 Sess., B.P. Post., Sept. 5, 1957, p. 3; Cong. Rec., 85 Cong., (Aug. 30, 1957, pp. 16738 - 16739.

<sup>27</sup>  
Roch. T. U., May 19, 1954, p. 33.

<sup>28</sup>  
Ibid., Feb. 24, 1953, p. 4.

Summary and Conclusions. The record of Keating activities seems to reflect a notable concentration of efforts within the "Domestic Security" category. To better explore this concentration, one portion has been isolated from the main body of these efforts to form the basis of this chapter.

Centering around Keating's commitments on ethics in government, codes for conducting hearings and court sessions, and modifications relative to witness immunity, Chapter IX has perhaps revealed some initial measurement of Mr. Keating's insight into the legal processes of our government. Although, in this regard, a Congressman may exhibit skill and understanding over the wide variety of fields about which he is called to legislate, it is perhaps not surprising to find this former lawyer display particular interest in "polishing" the nation's legal processes.

What may seem especially interesting (if not surprising) is the Upstate Republican's firm commitment to the cause of "...formalizing and adopting self-imposed restraints" for the various governing bodies. In respect to these restraints he sought to impose as a safeguard for the rights of individual witnesses, it is perhaps worthy of note that Keating also advocated immunity provisions and court

proceedings to compel certain witnesses to talk. As carved from the framework of legal intricacies by Keating's craftsmanship, the resulting definition of civil liberties for witnesses sought to differentiate between rights for the main group of such persons and those for that exceptional few whose testimony could prove essential to the nation's domestic security.

Likewise, as will be seen more clearly in the next chapter, there were additional differentiations between the rights of some citizens and those of others, which the Congressman was willing to make. In Chapter X the discussion of those legal modifications in governmental proceedings to which Congressman Keating was to commit himself, will be continued.

## CHAPTER X

### LAW ENFORCEMENT

Whereas the preceding chapter focused for the most part, on the conduct of government officials, and procedural matters relating to court and Congressional hearing sessions, this chapter will concentrate more specifically on Mr. Keating's commitments relative to topics such as subversives, and organized crime, as well as the Keating wiretap suggestion to alleviate the results of the first two.

As has been previously indicated, however, there may be some degree of overlapping regarding the classifying of the various "Keating Portrait" components into divided sections and chapters as has been done in this survey. Some portion of the categorization occurs almost automatically, but where this is not the case, arbitrary decisions have been made to facilitate the discussion. A topic such as legalized wire-tapping, for example, is perhaps equally related to both this chapter and the previous one.

This brief chapter will be confined to one section and a summation.

Regarding the topic of Law Enforcement, a major glimpse at the Ken Keating known to many Rochesterians is provided by an editorial in a local paper. This stated:

We think Congressman Keating made an effective analysis of the situation recently when he said, " The issue laid down by the Supreme Court in a recent decision is whether or not we will protect the liberties of all our citizens at the risk of possible damage to a few, or whether we will overprotect the right of a few people of doubtful loyalty at the risk of great damage to all."

.....  
 We also like Mr. Keating's commensical [sic] idea that instead of vollying at the Supreme Court for its decisions, Congress should start studying antisubversive legislation now on the books and should try to rebuild a fair, but tough security system if present laws as interpreted by the Court prove insufficient. 1

Appearing as it did only weeks after the Supreme Court's Yates decision had, "... thrown a giant monkey wrench into the government's efforts to curb Communist conspiracy within the United States,"<sup>2</sup> the above editorial in Keating's suburban hometown newspaper may offer an appropriate introductory view of the Keating philosophy as it related to the topic of subversives. In this regard, the rebuilding, suggested by the Congressman, of the nation's security system did gain some Keating attention following the Court's (Yates decision) rebuke of the Smith Act which for a few years previous had served as something of an antiCommunist backbone.

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B.P. Post., July 11, 1951, p. 6.

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Keating's words from Cong. Rec., 85 Cong., 2 Sess., (July 9, 1958), p. 13306. The Yates decision essentially emasculated the Smith Act (June 1957).

In July 1957 he submitted a bill (HR8867) to amend the Smith Act with a few words so that -- as Deputy Attorney General Lawrence E. Walsh said, it "...would be beneficial in any future Smith Act conspiracy prosecutions..."<sup>3</sup> Noting, however, that most of those previously convicted under the Smith Act would likely go free, Keating declared:

It is time we put a stop to this wholesale freeing of Communist conspirators. It is time we changed to red this green light to freedom for the Reds. <sup>4</sup>

Another Keating effort which seems to have been made in this same vein was an attempt to amend the Constitution for the purpose of redefining treason.<sup>5</sup> Presumably this effort was similar to an attempt which he and President Eisenhower were said to have discussed back in 1953. At that time the proposal had been suggested that the definition of treason be broadened to include collaboration with any agent or adherent of a foreign power working to overthrow or weaken the United States Government, or adhering to any group advocating the overthrow of the government.<sup>6</sup>

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<sup>3</sup>

Ibid.

<sup>5</sup>

Ibid., 1 Sess., (Jan. 1957), p. 90, (H.J.Res. 53).

<sup>6</sup>

Roch. T. U., July 27, 1953, p. 20.

<sup>4</sup>

Ibid.

In this same regard, there may be some significance to the fact that Congressman Keating had less than three years before the Yates decision was made (but while wounds and fears from the McCarthy Hearings were still apparent), revealed his acceptance of the anti communist laws as a basically adequate protection of the nation's security. On one occasion, for example, the Upstate Legislator told a college audience that:

...thanks to measures adopted by the Republican Congress and Administration in Washington, "the danger of Communist subversion has largely passed. I think it would be fair to say ... that disloyalty and subversion are still a problem for us, but no longer a menace." 7

Prior to this, Congressman Keating had gained some degree of press recognition as an anti communist prober while serving on the Judiciary Investigating Subcommittee.<sup>8</sup> For example, front page stories in a Rochester newspaper during the late 1952 and early 1953 period clearly identified him as being active in the fight to rid the United Nations of communists.<sup>9</sup> Since this particular subcommittee had been established expressly to investigate Mr. Truman's Justice Department, this significant degree of publicity which accompanied

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Roch. T. U., Dec. 2, 1954, p. 34.

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Brief mention of this is made in Chapter XI.

9

Ibid., Dec. 18, 1952, p. 1; Ibid., Dec. 19, 1952, p. 14; Ibid., Dec. 30, 1952, p. 1; Ibid., Dec. 31, 1952, p. 1; Ibid., Jan. 3, 1953, p. 1.

this anti communist investigation might suggest overtones of a McCarthy Era preoccupation with such things.

Some degree of insight into the possible success of this Keating venture may be found in a lengthy newspaper article published soon after this special probing unit had expired. The headline of the article was, "Probers Solve a Red Riddle — Here's How Keating Committee Did It."<sup>10</sup>

The author of this article referred to uncovered facts about how, "...so many Reds" had gained entrance into the United Nations (The State Department led by Alger Hiss approved them and according to the report, the Justice Department in deference did nothing). In essence, the writer elaborated on the premise that Keating and his subcommittee had done the nation a great service by checking this threat of subversion in the United Nations.<sup>11</sup>

Congressman Keating's House record in other respect likewise could gain him some acclamation as an opponent of communism. Starting in 1947, he joined overwhelming majorities in the House in voting contempt citations on balking witnesses in Congressional hearings on communism.<sup>12</sup> Too,

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<sup>10</sup>  
Roch. T.U., July 31, 1953, p. 6. The author, Kermit Hill later became a Republican Assistant County Manager.

<sup>11</sup>  
Ibid.

<sup>12</sup>  
Cong. Rec., 80 Cong., 2 Sess., (Feb. 4, 1947), p. 1137; Ibid., (Mar. 30, 1947), p. 3811; Ibid., (Nov. 24, 1947), p. 10778.

roll call votes indicate that he voted "yea" each time such a vote was taken on appropriations for the American Activities Committee.<sup>13</sup> Other such "yea" votes were recorded by Keating toward passage of the act to permit suspension of federal employee security risks from their jobs;<sup>14</sup> the Espionage and Sabotage Act of 1954;<sup>15</sup> and the bill to establish a Central Intelligence Agency.<sup>16</sup>

The famous Mundt-Nixon Bill which essentially made it a crime for members of communist front organizations to hold jobs in the United States Government, or in defense plants, likewise seemed to gain Keating's support.<sup>17</sup> In discussing the proposal in 1950, the Congressman was reported to have commented in such a way as to provide an additional glimpse at his delineation of excessive freedom. In part his com-

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<sup>13</sup>  
 p. 1045; Cong. Rec., 81 Cong., 1 Sess., (Feb 9, 1949),  
Ibid., 83 Cong. 1 Sess., (Feb. 24, 1953), p. 1361;  
Ibid., 2 Sess., (Feb. 25, 1954), p. 2293; Ibid., 84 Cong.,  
 2 Sess., (Jan. 31, 1956), p. 1719.

<sup>14</sup>  
Ibid., 85 Cong., 2 Sess., (July 10, 1958), p. 13416.

<sup>15</sup>  
Ibid., (July 8, 1958), p. 10116.

<sup>16</sup>  
Ibid., 81 Cong., 1 Sess., (Mar. 7, 1949), p. 1948.

<sup>17</sup>  
 Although this measure passed the House of Representatives in both 1948 and 1950 without a roll call vote, there is some indication that he supported it at least in 1948. In this year he was, on at least one occasion described in a Rochester newspaper (Roch. T. U., May 20, 1948, p. 25A) as a strong supporter of the bill.

-ment claimed that the:

...basic principle of the measure to restrict subversion is recognized ... "in a long line of decisions that in effect say freedom of speech and freedom of the press does not mean unbridled license to preach or publish any doctrine no matter how vicious, harmful or subversive. 18

Other anti Red efforts by which the Upstate Republican gained press attention included: his debate against an opponent of the International Security Act of 1950 (McCarran Act),<sup>19</sup> Norman Thomas; a Keating proposal that employers be required to take the same non communist oath presently required of union leaders;<sup>20</sup> and a public demand that, "...dangerous Communist leaders recently convicted in New York..." should be kept in jail rather than being released on bail and permitted, "...to roam the country peddling their insidious poison and sewing the seeds of discord, strife and confusion."<sup>21</sup>

Another matter, that of the Keating wiretap proposals may be injected at this point of the discussion to bridge the topics of subversion with the soon-to-follow segment on

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Rech. T.U., Aug. 30, 1950, p. 6.

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Ibid., Jan. 26, 1951, p. 21. In this debate, held before the New York Bar Association, Keating is reported to have blamed the Justice Department for poor enforcement of the McCarran Act, conceding the act to be imperfect.

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Ibid., Feb. 11, 1953, p. 10.

21

Ibid., Aug. 9, 1950, p. 19.

organized crime, since this idea undoubtedly relates to both. In this regard, it may not be premature, on the basis of the frequency with which they occurred, the controversy they aroused and most important of all, the implications they involved, to mark these wiretapping suggestions as ranking among the major commitments made by Congressman Keating during his House career.

Beginning in 1950, this legal sculptor submitted bills to authorize interception of messages or admission of evidence thus derived into court proceedings in eight different sessions.<sup>22</sup> His initial effort to permit use of wiretap evidence in subversive cases in federal courts, seems to have been inspired by the Second Court of Appeals (New York) reversal of a conviction of Judith Coplon as a Russian spy even though that court was said to have noted that, "... her guilt is clear".<sup>23</sup>

Essentially, these attempts by Keating to authorize the use of wiretap evidence would limit the acquisition of such evidence to FBI agents upon a granting of specific permission by the Attorney General and the subsequent acquiring

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<sup>22</sup>

He sponsored these bills in 1950, 1951, 1952, 1953, 1954, 1955, 1957, 1958.

<sup>23</sup>

Roch. T.U., Dec. 18, 1950, p. 10.

of a federal court order.<sup>24</sup> Inclusion of such precautions in the Keating bills apparently was related to an editorial in a Rochester paper which carried the headline, "Wiretapping Safe with Keating," a short time later. The writer noted therein that Keating's bill:

...preserves all the safeguards of the Communists or subversives in their telephone communications by having it the application for permission to tap the suspect's phone first submitted to the United States Attorney General's office and then come to the local federal judge for the final okay. 25

He noted that this would help the FBI guard the nation's security without giving them the right of, "promiscuous listening!"<sup>26</sup>

Although Keating's proposals to legalize use of evidence acquired by wiretapping awakened much controversy, there is some evidence to suggest that he may have felt that they should be broadened. Eavesdropping had admittedly been taking place for some time, and there are some indications that the Congressman was willing to open the evidence thus derived to court use at least in cases involving kidnapping and narcotic sales to minors, as well as also granting the right of wiretapping to some state law enforcement officers

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B.P. Post., Mar. 24, 1955.

25

Ibid.

26

Ibid.

under certain conditions.

As has been indicated, the Congressman's efforts to arm federal courts with the authority to use evidence acquired by legalized wiretaps related to concern both for those subversive elements seeking to overthrow the government as well as gangsterism and crime in general. In regard to the latter combination, Mr. Keating submitted during his first session as a Congressman, a bill designed to eliminate mob violence and lynching. Also, in 1949 he sponsored a measure patterned after a New York law to provide a "...comprehensive correction system." for juvenile delinquents.

Later, while speaking to an American Bar Association gathering in 1953 Mr. Keating urged an, "...all-out war on

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Cong. Rec. 85 Cong., 2 Sess., (May 8, 1958), p. 8353 (the wording of his bill, HR12395 suggests this); Roch. T. U., Jan 7, 1954, p. 2;

As a United States Senator, Mr. Keating, between 1958 and 1961 worked in depth on the legal aspects of wiretapping as a member of a Judiciary Subcommittee. One hearing report compiled by his group included information that between 1950 and 1959 the number of wiretaps in one "test" county chosen for study, ranged from 1.2 per every 1,000 court cases up to 3.6. United States Congress, Senate, Committee on the Judiciary, Wiretapping and Eavesdropping; Summary Report of the Hearings 1958 - 1961, Hearings before Subcommittee, 86 Cong., 1 and 2 Sess., 87 Cong., 1 Sess., (Washington: Government Printing Office, 1962), p. 42.

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HR4528; Keating sponsored a similar one in 1951.

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Roch. T. U., April 25, 1949, p. 15. This article said this bill would provide a new system, "...for rehabilitation of individuals under twenty four years of age convicted of federal crimes". Also see Ibid., June, 1949, p. 3.

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mobs".

Alluding to an alarming entrenchment of hoodlums and gangsters in American society, Keating declared that Congress should do something about this alarming threat. In this regard, a Keating bill submitted that year provided for Congressional approval of a plan for a two-state commission; <sup>31</sup>  
"...intended to free the New York water front of crime".

The following year, in a similar vein a news article announced that:

A new battle against the nation's underworld -- particularly its multi-billion dollar gambling empire -- has been launched in Congress minus the fanfare which attended the Senate Crime Investigation four years ago.

Spearheading the drive is Representative Kenneth B. Keating of Rochester, working hand in hand with the nation's top legal minds both in and out of government.<sup>32</sup>

He was said to have undertaken this job after the American Bar Association asked him:

...to carry the ball in the drive of its Criminal Law Section to tighten up the nation's laws against gambling and close some of the loopholes in the laws enacted after the Kefauver Committee Investigations.<sup>33</sup>

That same year the Upstate Congressman sponsored several bills, apparently with this task in mind. Among

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Roch. T.U., Aug. 24, 1953, p. 7.

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Ibid., July 22, 1953, p. 17.

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Ibid., June 24, 1954, p. 24.

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Ibid.

these was one to prohibit the use of interstate commerce means to promote conspiracy, bills to prevent the interstate transportation of gambling devices and the transmission of gambling data across state lines, and finally a bill restricting transactions related to gambling materials.<sup>34</sup>

Keating sponsored approximately these same bills in 1955 and 1957 after they had failed to gain enactment. In addition, the Congressman submitted other anti crime measures in this the Eighty Fifth and Eighty Sixth Congresses the sum total of which, when combined with the anti gambling measures, colored his record of bills attacking crime with something of an intensifying glow as his Senate career loomed into sight. One of these (HR8000) sought to amend the United States Code to permit FBI intervention in any kidnapping case where the victim had not been released within twenty four hours of his seizure.

In an interview published as his last summer in the House of Representatives was approaching, the Upstate Legislator agreed when asked if one of his main concerns as a Congressman had been directed toward organized crime.<sup>35</sup> Crime, he noted, was a big problem and was especially difficult because

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<sup>34</sup>

HR9456, HR7311, HR7975, HR7118.

<sup>35</sup>

B.P. Post., May 1, 1958, p. 5.

the organized mobsters crossed state lines when pursued and hid behind jurisdictional borders.<sup>36</sup>

When asked if he recommended turning the whole problem over to the federal government, Keating replied, "Oh no. Not at all. State and local officials have an important role to play in this effort".<sup>37</sup> He conceded, however, that the federal government should supplement the state and local attempts. In this regard, he spoke favorably of a plan then being developed by Attorney General Rogers for a long range program to coordinate efforts of the major federal agencies with those of local law enforcing officials.<sup>38</sup>

In closing the interview, he expressed the hope that he could, "...slash the jugular vein of organized crime in this country".<sup>39</sup> This hope he was to repeat a few months later in the fall election campaign and perhaps carry with him the next year into the United States Senate.

Summary and Conclusions. The public commitments of Congressman Keating in the field of law enforcement center mostly around opposition to the subversion represented by the Communist Party, and the threats represented by organized crime. Bridging the two and perhaps looming above the

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<sup>36</sup>

<sup>37</sup> B.P. Post., May 1, 1958, p. 5.

<sup>38</sup>

Ibid.

<sup>39</sup>

Ibid.

Ibid.

commitments he had made in both, was his wiretapping proposals which were attended by significant implications regarding the rights of an individual to privacy.

As was evident in the previous chapter, however, Mr. Keating's proposals for abridgement of certain individuals' freedom also established a procedural safeguard against abuse of such power. This may have minimized the risk to American rights caused by the tightening of control over that minority whose pursuit of happiness seems to have represented to Mr. Keating, the greatest threat to our society.

Continuing the general theme of Domestic Security, the following chapter will be built around some of the investigatory activities of which Mr. Keating was a part. Though proceeding along the same vein as this and Chapter IX have, Chapter XI will concentrate less on his proposals for change than on those commitments which evolved from, and were articulated through, his activities as an investigator.

## CHAPTER XI

### CONGRESSIONAL INVESTIGATIONS

Mr. Keating's twelve years in the House of Representatives contain ample proof that the role of a lawmaker sometimes carries with it the dual responsibility of likewise being an investigator. Support for this contention may be found in the fact that during this span of time bridging the Eightieth and the Eighty Fifth Congresses there was established a lengthy list of Congressional investigations over a wide spectrum of topics.

Congressman Keating himself was involved directly in a variety of these stretching from topics such as election expenditures and business monopolies to alleged police brutality in New York City's Harlem. To what degree these numerous additional responsibilities were passed to him because of his membership on the House Judiciary Committee as compared to those acquired primarily on his personal interest and abilities is difficult to determine.

What may be more easily determined is Mr. Keating's philosophy regarding Congressional investigations and to what degree he was directly involved in them. An attempt to discover these aspects of the Keating record will be made in this

chapter. It will be noted that much of the chapter concentrates on the numerous phases of the Justice Department Investigation in an effort to portray that impetus and perspective which characterized the role played by Mr. Keating (as described by the local press). From the emphasis given this series of probes, it may be concluded that this was the single most significant contributing factor to the process of Keating image building, relative to investigations.

Initial Strides as an Investigator. In 1947 when the Congressman was beginning his House career, a press report noted that the House of Representatives was spending \$45,000 a month on investigations.<sup>1</sup> This figure had, by reason of inflation and increases in the number of Congressional investigations, undoubtedly risen considerably by the time Mr. Keating's activities in them reached a point of major significance.<sup>2</sup>

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Roch. T.U., June 11, 1947, p. 10.

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Ibid., May 5, 1953, p. 3. Keating is quoted as saying here that there are currently one hundred Congressional investigations underway and about two hundred more pending. He attributed the large number to the fact that: "we have been performing one of Congress' purest and most legitimate functions in exposing the weaknesses of too much breeding among members of the enormous clan who seem to have thought they were settled in Washington for life."

A Congressional investigation, he said, can only be justified when this can be related to the law making process in one of two ways: either for the purpose of gathering facts about proposed legislation, or to make proper inquiries into the functioning of existing federal laws.<sup>3</sup> He continued by saying:

...I strongly disagree with those who agree that Congress is responsible for informing and educating the public by looking into everything which may happen to catch the popular fancy at the moment.<sup>4</sup>

In this regard, the Congressman publicly opposed the setting up of a Senate committee to investigate mistreatment of United States prisoners by Korean Reds. He said that, "there is nothing Congress could do to remedy the situation ...lamentable as it is."<sup>5</sup> Congressional investigations, Keating was quoted as saying, have a direct and demonstrable relation to the law making function. He intimated that such an investigation might be proper if it sought to determine if the Defense Department had done all it could in its own investigations.<sup>6</sup>

Likewise, both in 1952 and 1953 the Congressman voted

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<sup>3</sup>  
Roch. T.U., Dec. 10, 1953, p. 51.

<sup>4</sup>  
Ibid., this was a direct quote.

<sup>5</sup>  
Ibid., Sept. 28, 1953, p. 25 (a direct quote).

<sup>6</sup>  
Ibid., Sept. 30, 1953, p. 32.

with minorities in opposition to investigations of private (untaxed) educational and philanthropic foundations. "I feel it is entirely unwarranted," he said. "The truth is, that resolution is sponsored by those out to smear foundations which have aided minority groups."

Just as there were some proposed investigations which he didn't support, there were also some such proposals for Congressional probes that he sought to initiate himself. These included suggestions in 1951 by Keating to have the Senate Crime Investigating Committee open a new probe of former New York City Mayor, William O Dwyer. Likewise, the same year he introduced a resolution authorizing an investigation of the method by which service academy cadets were chosen.

Of perhaps far greater consequence (for the purposes of this study), however, was probably the service actually performed by Mr. Keating as an investigator. This career seems to have begun in 1949 when he was appointed to serve as a member of the House Committee to investigate monopolistic practices in business. For this job, Mr. Keating was

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<sup>7</sup>  
Cong. Rec., 82 Cong., 2 Sess., (July 2, 1952), p.8936;  
Ibid., 83 Cong., 1 Sess., (July 27, 1953), p. 10030.

<sup>8</sup>  
B.P. Post., May 8, 1952, p. 7.

<sup>9</sup>  
Roch. T.U., Aug. 21, 1951, p. 17.

described as being "handpicked" by Chairman of the House Judiciary Committee, Emanuel Celler (D. N.Y.).<sup>11</sup> According to this report, Mr. Keating commented:

If the committee proceeds in an open-minded and non-political manner, I feel sure a great contribution can be made to the economic well being of our country.<sup>12</sup>

Whether or not the Upstate Legislator had any particular "contribution" in mind at this time is not clear, but it is not unlikely that his attempts to amend the Clayton Act (See page 36) were directly related to results uncovered by his monopoly investigations. A "contribution" which gained much more publicity than monopoly discoveries, however, originated two weeks later after this initial appointment.

It began with the deceptively mild news story containing the following comment from Congressman Keating. "We the committee will hear Attorney General Tom Clark on Monday, I don't know what the evidence will develop."<sup>13</sup>

Two weeks later, a Rochester paper began another news story with the words, "the next session of Congress may tackle

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Roch. T.U., Aug. 11, 1951, p. 3.

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Ibid., May 27, 1949, p. 14.

12

Ibid.

13

Ibid., July 9, 1949, p. 2.

a wholesale revision of the nation's anti trust laws." Keating, the article stated, was, himself not certain whether new legislation was the answer, since he felt that present laws were not, "being policed too effectively by the Justice Department".<sup>14</sup>

The Justice Department Probe — Part 1. Needless to say, the next sessions of Congress did not bring a "wholesale revision" of monopoly restrictions. Starting, however, near the beginning of 1952 a Keating suggestion that the House Judiciary Committee Chairman Celler authorize an investigation of the Department of Justice did begin to bear fruit.<sup>15</sup> After receiving some leads to investigate, following his suggestion, Congressman Keating wired Attorney General McGrath asking for his approval to begin.<sup>16</sup> The wire, published in a Rochester paper said:

It would assist in insuring favorable action if you felt disposed to express to Chairman Celler... your approval of this inquiry. It impresses me ... that the interests not only of the public but also your department

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Roch. T.U., Aug. 9, 1949, p. 8.

15

Ibid., Jan. 15, 1952, p. 3; Ibid., Jan. 17, 1952, p. 6. Both places he is credited with the suggestion.

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Keating seems to have been having some difficulty getting Chairman Celler to accept the inquiry idea.

would be served by fair and thorough airing of the many charges leveled against you and your associates. 17

A nationally syndicated story in a local paper suggested that some of the majority Democrats on the House Judiciary Committee favored a probe of McGrath's Department. It also noted that Congressman Keating, "...wants a full scale investigation and yesterday said he presented nearly a dozen cases involving 'misfeasance or malfeasance or both' in support of his proposal",<sup>18</sup> A few days later, when the Judiciary Committee's sixteen Democrats and thirteen Republicans unanimously approved setting up an investigating subcommittee to probe the Justice Department, a Rochester paper said (on page one):

The burden of inquiry in the probe probably will be carried by Representative Kenneth B. Keating, Rochester Republican. It was Keating's motion for an investigation ... which was unanimously approved yesterday ....<sup>19</sup>

An editorial published the same day praised the local Congressman for having, "...scored a great personal victory when he jammed..." his proposal through the committee. It said:

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17

Roch. T.U., Jan. 21, 1952, p. 2.

18

Ibid., Jan. 25, 1952, p. 3. Written by Associated Press.

19

Ibid., Jan. 30, 1952, p. 1. The Democrats were said to have forced an agreement that the inquiry be, "...limited to specific charges based upon credible evidence."

...the remarkable angle of his success is that he was able to wrest it from a Democratic majority in an election year by a committee headed by such an ardent defender of the Administration as Chairman Celler. 20

When Attorney General McGrath appointed New York City financier, Newbold Morris to conduct a special investigation of his own Justice Department, Keating responded that this was a, "... thirteenth hour maneuver and an admission that no one in McGrath's office is 'qualified by ability and character to fight corruption.'" <sup>21</sup>

The Congressman suggested that Morris report directly to the House Judiciary Committee. <sup>22</sup> Further, he sent Morris a wire (which was published in a local paper) noting the embarrassing position he was in as an appointee to investigate his own boss, and was critical of Morris for stating that he had full confidence in the Attorney General. He concluded with the comment: "It seems to me that any investigation should start off with no preconceived ideas about the man he is investigating." <sup>23</sup>

The first meeting of the investigating subcommittee was held on February 7 with Congressman Frank L. Chelf (D.

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Roch. T. U., Jan. 30, 1952, p. 1.

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Ibid., Feb. 2, 1952, p. 1.

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Ibid., Feb. 4, 1952, p. 1.

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Ibid. A direct quote.

- Ky.) presiding and Keating serving as the ranking Republican.<sup>24</sup> The following day the local Congressman gained press recognition with a story headlined, "Keating Group's Probe Reported Spurring Action in Chicago Case".<sup>25</sup> According to the report, a United States Attorney in Chicago had received orders from Washington to rush, "...the long delayed Commercial Home Equipment Company case before a federal grand jury the same day the case was presented... to the House Judiciary Committee".<sup>26</sup> Keating was quoted as calling this, one of the "better documented cases" (of those presumably being investigated by his group) and stating that he was being "deluged" with leads and information to check into.<sup>27</sup>

A request a few days later by Mr. Truman for Congress to grant Newbold Morris subpoena powers and authority to grant witnesses immunity from prosecution, brought a negative reaction from the Upstate Legislator. He suggested that Morris use the powers of the Judiciary Committee and noted

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<sup>24</sup> Roch. T.U., Feb. 8, 1952, p. 8. Keating at this time, was said to have suggested John W. Davis (Democratic candidate for President in 1924), "...or a man of that type" as chief counsel for the subcommittee.

<sup>25</sup> Ibid., Feb. 6, 1952, p. 3. <sup>26</sup> Ibid.

<sup>27</sup> Ibid. The Congressman said, according to the news article, that he had a file six inches thick on his desk of new cases which he had not looked at yet.

that it would be dangerous to grant the Executive Branch subpoena powers since, "...it might be abused if the Executive Branch had powers to bring people in on any pretense whatsoever".<sup>28</sup> Too, he was critical of the suggestion that Morris be given the power of granting immunity. "It might easily<sup>29</sup> result in interference with our committee," Keating declared. When, less than a week later, the subcommittee unanimously rejected the idea of immunity for Morris, the appointed Investigator<sup>30</sup> said that he did not need such powers anyway.

Mr. Keating clashed with Chairman Celler a short time later (in the press) over a demand that McGrath bring to the subcommittee, records covering six years of the Justice Department's unprosecuted cases.<sup>31</sup> Celler called the demand by Keating "political"; and said the subcommittee had no right<sup>32</sup> to demand, "...something like one and a half million records.

Keating's reply was said to be that:

Mr. McGrath's inability or unwillingness to furnish this information emphasizes the necessity for our investigation....

If the Attorney General has no record of the cases turned over to him by various government departments,

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<sup>28</sup>

Roch. T.U., Feb. 14, 1952, p. 1.

<sup>29</sup>

Ibid., Feb. 15, 1952, p. 3.

<sup>30</sup>

Ibid., Feb. 20, 1952, p. 11.

<sup>31</sup>

Ibid., Feb. 21, 1952, p. 10.

<sup>32</sup>

Ibid., Mar. 7, 1952, p. 7.

that is something our committee certainly should investigate.

If he has the records but simply refuses to produce them, that is very revealing. We must question him to find out definitely which is the case.

In the meantime ... we cannot allow Mr. McGrath to dictate to us how we shall run our investigation. 33

In March of 1952, a news story announced that the Chelf Committee was swinging into action by investigating ten to fifteen criminal cases which the Justice Department had neglected to prosecute. Keating was quoted as saying at the time that the charges involved McGrath's personal actions and the operations of T. Lamar Caudle who was recently fired by President Truman from his position as the chief tax prosecutor for the government. 34 35

A few days prior to this Congressman Keating told a radio audience that there was, "Nothing ... more important than the restoration of confidence in the administration of justice in our country!" He said his subcommittee could not possibly cover everything that needed investigating, and it would have to pick only the most important cases so it could

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33

Roch. T. U., Mar. 7, 1952, p. 7. This was a direct quotation.

34

Ibid., Mar. 12, 1952, p. 9.

35

Ibid.

36

Ibid., Mar. 3, 1952, p. 2. These were published excerpts from a Keating talk over WHEC (Rochester).

complete its work in about six months.

Late that month, Attorney General McGrath appeared before the Chelf Committee and in response to questions (said to have been asked by Keating), expressed personal dissatisfaction over Newbold Morris.<sup>37</sup> Following his appearance before this Keating group, press reports indicated on April 3 that McGrath had fired Morris and on April 4 had himself been removed from office by Mr. Truman.<sup>38</sup>

Congressman Keating then, according to local press reports, turned his attention toward gaining a "... searching investigation of the firings of McGrath and Morris".<sup>39</sup> When Judge James P. McGranery (named to replace McGrath), however, suggested that FBI Director J. Edgar Hoover resume the work aborted by the departure of Morris, Keating rejected the idea as, "... simply window dressing done for public consumption".<sup>40</sup>

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Roch. T. U., Mar. 31, 1952, p. 1; Ibid., April 4, 1952, p. 1 (International News Service story crediting Keating with having uncovered this McGrath — Morris feud).

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Ibid., April 3, 1952, p. 1; Ibid., April 4, 1952, p. 1.

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Ibid.; Ibid., April 8, 1952, p. 1. Keating's objections to the suggestion to use Hoover were said to be the following: (A). The Attorney General was officially his boss; (B). Hoover could only investigate and could not prosecute; (C). Hoover, Keating said, had repeatedly turned down offers of additional duties. The Rochester Congressman revealed the fact that Hoover had been originally considered by his subcommittee for the appointment which Newbold Morris received.

Justice Department Probe -- Part 2. Aides within the

Justice Department came next under the scrutiny of Congress-  
<sup>41</sup>man Keating. In May, he pointed to Deputy Attorney General  
 A. Devitt Vanech as a man who had twice or three times failed  
 the District of Columbia bar examination and at least once  
 had failed the equivalent test in Virginia.<sup>42</sup> Vanech, the  
 Congressman said, had finally obtained a law license in 1940  
 by going temporarily into Tennessee.

Keating and Congressman Chelf were a few days later  
 said to be checking on government lawyers who had been block-  
<sup>43</sup>ed from pushing anti trust law prosecutions. After some  
 investigation, a short time later, the Rochesterian was quot-  
 ed as saying that Attorney General McGranery should, "...  
<sup>44</sup>fire most of his key personnel".

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Roch. T.U., April 29, 1952, p. 1 (An International  
 News Service story). Mr. Truman's seizure of the nation's  
 steel mills at this time resulted in ten resolutions being  
 submitted to the Judiciary Committee of the House essentially  
 calling for an investigation of the situation with a view to  
 possible impeachment proceedings being directed toward the  
 President. Mr. Keating claimed that the resolutions should  
 be handled by the Chelf Committee, but the full Judiciary  
 Committee voted against this idea. Of the impeachment poss-  
 ibilities Keating said, "this is the most critical issue  
 which has faced the American people in ninety years".

42

Ibid., May 12, 1952, p. 11.

43

Ibid., May 16, 1952, p. 6.

44

Ibid., May 26, 1952, p. 20 (a direct quote).

The flow of information on this subject seems to have been interrupted over the summer months and the papers carried much news of the national political conventions. But by the second week in August, Devitt Vanech and eight other Justice Department employees were said to have resigned, and Keating claimed to have information regarding more resignations which were pending.<sup>45</sup>

Late in the month, hearings resumed and considerable press attention was given to cases centering around St. Louis which reportedly included evidence of Justice Department pressures to prevent prosecutions.<sup>46</sup> Another focus of interest for the Chelf Committee was T. Lamar Caudle who (Keating was said to have claimed) implicated former Attorneys General Tom C. Clark (by now, a Supreme Court Justice) and J. Howard McGrath.<sup>47</sup>

The original deadline for this subcommittee (October 1) approached with miscellaneous press references to Keating, "mystery trips", and such cases as the Kansas City (Missouri)

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<sup>45</sup>

Roch. T.U., Aug. 8, 1952, p. 16.

<sup>46</sup>

Ibid., Aug. 27, 1952, p. 16; Ibid., Aug. 29, 1952, p. 1.

<sup>47</sup>

Ibid., Sept. 3, 1952, p. 1; Ibid., Sept. 13, 1952, p. 1; Ibid., Oct. 3, 1952, p. 15.

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 vote fraud. Following this, the formal report of the Chelf Committee was submitted which credited Keating with the McGrath firing, and said the recent attempts of the Justice Department to remove its own "corruption" had failed, "... because it was an awkward, bungling attempt by the Executive Department to investigate itself".<sup>49</sup> Too, the report questioned the "good faith" of Mr. McGrath for a statement made earlier in the year to the effect that he welcomed a probe of his Department. In view of the volume of front page attention which Congressman Keating and the probe efforts were given, however, the report seems to have contained less in the way of tangible results than might have been expected.

Following the formal conclusion of the group's activities for the year, an associate counsel for the subcommittee, Daniel G. Kennedy (a Rochester attorney) returned home and was quoted in the local press as praising both Chairman Chelf and Mr. Keating for their efforts. Of Keating in particular, he said, "certainly in Washington he is respected on both sides of the House".<sup>50</sup> The Congressman, Kennedy stated, "... has been an impressive guy and has gained a lot of stature from this thing."<sup>51</sup>

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<sup>48</sup>  
 Roch. T.U., Sept. 12, 1952, p. 6; Ibid., Sept. 13, 1952, p. 1; Ibid., Oct. 3, 1952, p. 15.  
<sup>49</sup>  
<sup>50</sup>  
Ibid. Ibid., Oct. 15, 1952, p. 33.  
<sup>51</sup>  
Ibid.

Justice Department Probe Part 3. When the 1952 elections resulted in a slight Republican majority in the House of Representatives, Congressman Keating was automatically in line for the Chairmanship of the Judiciary Committee's investigating subcommittee if it was to be continued into the new session of Congress. <sup>52</sup> On June 27, 1953 the Judiciary Committee voted to drop its business monopoly and anti trust investigations (of which Keating had been a part), but renewed for <sup>53</sup> five months the life of the investigating subcommittee. Even prior to this formal approval, however, Keating had been (for about two weeks) continuing some of the subcommittee's activities from the last session of Congress.

In a January 3 news article, the Congressman "revealed" that a "...garage full of documents seized by his committee was the property of Russell W. Duke of Portland, Oregon." <sup>54</sup> Keating said that the documents were seized in connection

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Some reference was made during the campaign, to Keating's having supplied "ammunition" to Eisenhower's campaign relative to "corruption" in the present Administration. Roch. T.U. Sept. 26, 1952, p. 12; Ibid., Oct. 15, 1952, p. 33.

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Ibid., Jan. 27, 1953, p. 6. Instead of four Democrats and three Republicans, the subcommittee was now composed of three Republicans and two Democrats. Keating likewise was appointed to head a Judiciary subcommittee on patents, copyrights and anti trust matters.

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Ibid., Jan. 13, 1953, p. 6.

with investigations of several cases on the West Coast centered around,"...influence-peddling activities on the part of Duke and others".<sup>55</sup>

A few days later Keating altered his course briefly, however, when Congressman Adam Clayton Powell complained on the House floor that the FBI had made an agreement not to question New York City police involved in a civil rights brutality case. Keating immediately announced plans to investigate the matter and held hearings the following day in Washington.<sup>56</sup>

In March and April of 1953, Congressman Keating's group seems to have spent considerable time checking on the loyalty of American employees in the United Nations. These efforts included among several other aspects, contacting Alger Hiss who was serving a term in Lewisburg Penitentiary at the time. If the absence of local press reports can be considered any indication, however, dramatic results from these attempts seem to have been lacking.<sup>57</sup>

If the results lacked drama, however, the investiga-

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Roch. T.U., Jan. 13, 1953, p. 6.

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Ibid., Feb. 18, 1953, p. 8; Ibid., Feb. 20, 1953, p. 8; Ibid., Feb. 25, 1953, p. 24; Ibid., Feb. 27, 1953, p. 1; Ibid., Feb. 28, 1953, p. 1.

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Ibid., Mar. 20, 1953, p. 1; Ibid., Mar. 25, 1953, p. 30; Ibid., Mar. 27, 1953, p. 13; Ibid., Mar. 31, 1953, p. 4; Ibid., April 16, 1953, p. 3; Ibid., April 17, 1953, p. 19.

tions themselves continued to gain considerable recognition from the newspapers. In May and June Keating traveled to the West Coast to extend his "influence peddling" investigation. But in this regard one newspaper reported that the Congressman's efforts were stymied by a United States District Judge in California who refused to answer questions submitted by the Keating Committee because he denied that the Congressmen had the right to force a member of the Judicial Branch to testify.

In effect, the results of another investigation - this one related to a 1946 mail fraud charge, likewise to a large degree hinged on this same issue. Keating had charged in April that the Truman Administration had dropped prosecution in one of the largest such cases in history after attorneys for the defendants had conferred with Justice Department officials including the Attorney General Tom C. Clark. In regard to this charge, Attorney General James P. McGranery therefore, appeared before the Keating Committee and testified

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Roch. T.U., June 2, 1953, p. 11; Ibid., June 12, 1953, p. 12; Ibid., 12, 1953, p. 13 (This particular news article notes that Keating's colleagues themselves were split over this jurisdictional matter.). The case in question was another income tax "scandal" said to have been illuminated by T. Lamar Caudle. United States District Judge Louise E. Goodman refused to answer Keating's questions.

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Ibid., April 29, 1953, p. 1. This case was similar to the previously mentioned one in that Clark who was now a justice refused to accept the committee's jurisdiction.

that although he had been at this time a top assistant to the Attorney General, the case was dismissed without his knowledge.<sup>60</sup>

Following this disclosure, Keating "invited" Mr. Clark to testify also, but the former Attorney General, by now a Truman-appointed Supreme Court Justice, refused to appear.<sup>61</sup> His refusal was reportedly based on the belief that the Judicial and Legislative Branches should remain separated.<sup>62</sup> Congressman Keating's efforts to use the Judiciary Committee's subpoena powers in this regard were defeated by a committee vote of 22 to 5, and the investigating subcommittee's allotted time expired without gaining notable progress from the deadlock with Justice Clark.<sup>63</sup>

When on July 1, 1953, the Upstate Republican started to draft a report for his subcommittee, he noted that during the total of seventeen months since its inception, the group had received 2,500 complaints.<sup>64</sup> Testimony of 302 witnesses heard by the subcommittee in 109 hearings on 29 different

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<sup>60</sup> Roch. T.U., May 15, 1953, p. 13.

<sup>61</sup> Ibid., June 15, 1953, p. 1.

<sup>62</sup> Ibid., June 18, 1953, p. 10.

<sup>63</sup> Ibid., June 23, 1953, p. 9.

<sup>64</sup> Ibid., July 1, 1953, p. 4.

subjects, Keating said, amounted to 7,000 pages of records  
to cover this period of time.<sup>65</sup>

The official report was said to have admitted that the subcommittee had no proof of wrong doing by Supreme Court Justice Clark, but was critical of him for declining to testify before the investigating group.<sup>66</sup> A statement attributed to Keating said that Clark's, "...failure to testify was 'unfortunate'" because this "...deprived the committee of the benefit of any light which might have been shed by a former member of President Truman's Cabinet."<sup>67</sup>

Release of the report was, however, accompanied by a statement by Representative Byron G. Rogers (a Democrat from Colorado who served on the subcommittee) which said that, "...Chairman Keating ... pulled a 'sneak play' by his unwarranted political release ... of his proposed libelous report".<sup>68</sup> Rogers went on to defend Justice Clark and said that, "...most of the report had not been approved in subcommittee or even considered by the parent Judiciary group".<sup>69</sup>

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<sup>65</sup>

Roch. T.U., July, 1, 1953, p. 4.

<sup>66</sup>

Ibid., July 6, 1953, p. 2.

<sup>67</sup>

Ibid.

<sup>68</sup>

Ibid.

<sup>69</sup>

Ibid.,

Summary and Conclusions. This chapter has attempted to characterize the Keating approach to Congressional investigations by first showing the formula he advocated for determining their value, and secondly by discussing several investigations in which he actively took part.

Admittedly, the process of weighing the successes involved in such an intricate composite of legal and political subtleties as is included in Keating's investigatory endeavors would indeed be difficult to do. Much easier (and perhaps more valid) would be the process of surveying these efforts and concluding from the resultant evidence that it was in the role of an investigator during the early 1950's that the Upstate Republican acquired both in tone and in volume some of the most advantageous press coverage of his House career.

His multifaceted investigation of the Justice Department as well as other similar ventures seems sufficient in volume and latitude to conclude also that probing into the functioning of the government in general, and law enforcement in particular was one of his most significant interests during those twelve years of service in the House. It is not difficult to gain the impression that while involved in this general field, Congressman Keating was not only very much at home, but perhaps he (if press reports are sufficient indication) had in this area attained a degree of mastery over the

the legal substances with which he was working — perhaps in excess of what many Congressmen would attain.

With this chapter the general topic of Domestic Security will be concluded. The next several pages of the Keating survey will approach some of the questions which gained commitments from the Congressman during this period of time, relative to various issues facing the American Society.

## CHAPTER XII

### HUMAN RIGHTS

On one occasion in 1958, Senate Nominee Keating said, "as to principles, I am liberal on matters of human rights and conservative on matters of the pocketbook"<sup>1</sup> Whether or not the Congressman's appraisal is substantiated by the record will for the most part be left to the reader's judgment. However, a closer look at his record on human rights topics should be considered essential before a decision is made.

Since material relating to "matters of the pocketbook" has filled many of the early pages of this survey, a concentration upon the second phase of the Keating self appraisal is perhaps in order at this time. In this respect, an assumption has been made that the topics of civil rights, immigration and displaced persons could be said to form the nucleus of the human rights category. With that in mind, the survey will at this point explore the legislative commitments which the Congressman apparently felt qualified him for that liberal label.

Civil Rights Matters. Congressman Keating began his House career with indications of interest in the field of Negro rights. In this respect the Upstate Republican sponsored

<sup>1</sup> A speech delivered Sept. 30, 1958 at a meeting of the Brooklyn Republicans, Keating Papers.

antilynching bills, opposed the restricting of the House press galleries to white newsmen, spoke out against providing funds for building a segregated veterans hospital, and registered opposition to permitting segregation in the planned Women's Coast Guard Reserve.<sup>2</sup> Too, in public statements and the submission of at least one bill during this early period of his career, the Congressman not only revealed a marked disapproval of racial inequities but likewise reflected opposition to religious discrimination.<sup>3</sup>

Regarding equal employment opportunities, the Upstate Republican likewise registered support for the Fair Employment Practices Act passed by the House in early 1950.<sup>4</sup> According to press reports, Keating had (prior to the bill's passage) berated the Democrats in the House for parliamentary maneuverings to block the bill's entrance onto the floor. "If this is what you call a Fair Deal, it must be I don't under-

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<sup>2</sup>  
 (Lynching) Roch. T.U., Aug. 1, 1947, p. 1A; Ibid., June 9, 1949, p. 2; (press gallery) Ibid., Mar. 18, 1947, p. 16 A; (hospital) Ibid., June 7, 1951, p. 20; (Women's Reserve) Ibid., April 5, 1949, p. 4.

<sup>3</sup>  
Roch. Dem. Chron., Mar. 9, 1949, p. 4; Roch. T.U., Feb. 3, 1949, p. 2A; Ibid., Feb. 25, 1949, p. 17B; Ibid., Dec. 22, 1949, p. 28. These are examples considered to be characteristic and chosen from a large assortment of similar articles on the basis of the author's judgement.

<sup>4</sup>  
Cong. Rec., 81 Cong. 2 Sess., (Feb. 23, 1950), p. 2162, (HR4453).

-stand the term," Keating reportedly said.

Perhaps, however, it was during the mid fifties fight over a civil rights bill when the Congressman made his biggest mark relative to civil rights causes. In this regard, the available records seem to accord Mr. Keating something of a front seat role soon after his inheritance of the minority leadership position on the Judiciary Committee.

In terms of these measures, the first major attempt after the 1950 Fair Employment Practices Act was said to have come from the Executive Branch in 1956. This particular campaign for a far-reaching civil rights law was officially launched in the House on April 9 by Keating and Congressman Scott (R. Pa.).<sup>6</sup> At this time Congressman Keating introduced a bill providing for a Civil Rights Commission (HR10340) and another bill providing an Assistant Attorney General to serve with the commission (HR 10339). Congressman Scott introduced companion measures (HR10349, HR10348) at the same time and

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Roch. T. U., Feb. 23, 1950, p. 10.

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J.W. Anderson, Eisenhower, Brownell, and the Congress — the Tangled Origins of the Civil Rights Bill of 1956 - 1957 (University, Alabama: University of Alabama Press, 1964), p.25. This author calls Scott "...the most active Republican ... campaigner for civil rights legislation in the House in 1956". He also credits Scott with being the spokesman for the civil rights bloc in the House, and says he served as its liaison man with the Administration in the weeks during the February and March (1956) formulation of the Civil Rights program (p. 26). Keating, though not mentioned, was presumably in this civil rights bloc.

Congressman William Miller (R. N.Y.) submitted similar bills (HR10378 and HR10379) the following day.

In addition, bills to protect voting rights and civil rights in general were submitted by Keating (HR10425, HR10427), Scott (HR10426, HR10428), and Miller (HR10434, HR10435) on April 11. According to one analyst, all of these several bills came not merely from the Eisenhower Administration in general, but from the Attorney General's office in particular.<sup>7</sup> Later in debate after the civil rights proposals had been distilled into one combined bill, Keating responded to a question by saying, "...the bill before us is line by line and word for word one of the key measures of President Eisenhower's program".<sup>8</sup> When an opponent of the bill (Congressman Martin Dies of Texas) questioned him further, Keating answered, "this bill is the bill which President Eisenhower wants enacted, and I can say that ... without question."<sup>9</sup>

Republicans were not alone in submitting civil rights bills that year, however. Judiciary Committee Chairman Celler called the Administration's bills "woefully lacking" and supported his own bill (HR627). In this regard, though, Keating

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<sup>7</sup> Ibid., pp. 14 — 43, p. 122, p. 135.

<sup>8</sup> Cong. Rec., 84 Cong., 2 Sess., (July 16, 1956), p. 12918. There seemed to be a question as to the President's authorship or relationship to these bills.

<sup>9</sup> Anderson, op. cit., p. 89.

cautioned his colleague not to, "...try to bite off more than we can chew, or Congress will get nowhere — as in the past..."<sup>10</sup>

Apparently Keating's advice was heeded by Chairman Celler, for while explaining the Civil Rights Bill to his cohorts from the House floor a week later, Keating explained that, "my bill was accepted by the Committee in preference to HR627 (Celler's)"<sup>11</sup> Therefore, the four Administration bills actually were combined as four sections of one bill and were substituted for the contents of HR627. The number, however, remained the same and bore Celler's name as its sponsor.

But even with Celler's name and the apparent White House seal of approval, the civil rights package was doomed to failure in this session. Two contributing reasons for the failure were probably the rather late start for the measure, and the July adjournment of Congress (due to the political conventions).

When the bill (HR627) did arrive on the House floor late in the session, Keating explained and defended it at some length. The first of the bill's four parts would have

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<sup>10</sup>

Anderson, op. cit., p. 57.

<sup>11</sup>

Cong. Rec., 84 Cong. 2 Sess., (July 16, 1956), p. 12918. Nothing has been discovered in this study as to action on the companion bills of Congressmen Scott and Miller. Presumably Keating's four segments of the civil rights package were accepted as characteristic of them.

set up a six man Civil Rights Commission with subpoena powers for investigations but no enforcement powers (the Justice Department would handle prosecutions). This approach, Keating said, "epitomizes" President Eisenhower's philosophy on the civil rights issues and:

...I concur wholeheartedly. It is simply that knowledge and understanding and the slow but steady process of enlightenment will do more in the long run than violence or any abrupt resolution by force. 12

The second part of the bill would create an Assistant Attorney General's position specifically to work on civil rights matters, and the latter two parts were designed to strengthen and expand the rights in question as well as the protection for them. In this regard, it seemed to be of prime interest to Keating that under the system then in operation the aggrieved had to seek redress, whereas his bill would shift the initiative onto the Attorney General. 13

Among the variety of questions fielded by the Rochester Congressman in the debate was one relating to possible guarantees against abuse of power by the Attorney General in depriving a person of his liberty. Keating answered that the possibility of such abuses has always existed and, "that

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Ibid.

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Ibid.

is why we have acquittals sometimes. Congress has the usual<sup>14</sup> power of impeachment over him if flagrant abuses occurred".

When by July 19, after lengthy hours of debate and many suggestions for changes, an attempt was made to amend the bill to outlaw discrimination not only on racial and religious grounds, but also on the basis of age, Keating showed signs of irritation. He replied:

We are now at the place where we must face the facts. This amendment is offered for the purpose of destroying this bill and scuttling it, killing it, loading up with amendments that are unacceptable for the purpose of defeating it. 15

A short time later, supporters of the bill were able to gain House passage (176 — 126) for it, but adjournment arrived with it still in a Senate committee.

In 1957, HR6127 was submitted as, in Keating's words, "a very moderate proposal" that was "watered down" from the<sup>16</sup> previous year's civil rights package. "This bill is by no means a cure-all for all racial discrimination," he added<sup>17</sup> later. Neither was it a "sectional bill" the Congressman noted, because there were places in both North and South<sup>18</sup> where equal treatment of the law is not offered everyone.

<sup>14</sup> Ibid., p. 12932.

<sup>15</sup> Ibid., p. 13559.

<sup>16</sup> Ibid., 85 Cong., 1 Sess., (June 5, 1957), p. 8411.

<sup>17</sup> Ibid., (June 6, 1957), p. 8498.

<sup>18</sup> Ibid., (June 5, 1957), p. 8411.

Apparently sensing that unlike the civil rights debates of 1956, a frontal assault would be launched this session on the lack of provision for jury trial in the bill, the Rochesterian attempted at the start to lay a groundwork.<sup>19</sup> "This bill does not remove in any respect any existing right to a trial by jury," he said.<sup>20</sup> In this regard, he would return repeatedly in the days ahead to the theme that twenty eight federal laws now authorizing powers (to existing agencies) similar to those being proposed for the Civil Rights Commission, likewise failed to grant a jury trial.<sup>21</sup>

It is not something you are losing, he told House members. In matters like these, that right has never been provided. Such arguments, however, did not convince everyone, and it was (after days of heated debate) finally June 18 before the 1957 bill passed the House (286 — 126).

The Senate returned a bill with the same number (HR6127) after an intense debate that lasted into August, but alterations in the bill's provisions were evident. Probably the

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At the onset of floor debate, Keating said, "...this is probably the principle issue which we will face in this discussion (Ibid.).

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Ibid.

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The Congressman listed the Atomic Energy Commission, the Interstate Commerce Commission, the Civil Aeronautics Board, the Securities and Exchange Commission, the National Labor Relations Board, etc.

most significant of these changes related to Section III, which originally authorized the Attorney General to bring civil proceedings for injunctions and, "...preventative relief to secure for individuals the equal protection of the law".<sup>22</sup> In this regard, only the right to vote was now granted<sup>23</sup> protection under the Section III of the Senate version.

Keating stated that if this were the only change the law would still represent a significant achievement. But the Senate, he said unhappily, had "departed" from the :

...usual and traditional procedures for the enforcement of court orders. A court order can be of no more effect than the means available for its enforcement. The power of a court to punish disobedience of its orders by means of a speedy summary procedure is recognized.... But the Senate adopted a sweeping, radical and ill-considered amendment applicable to the whole field of equity jurisprudence and the enforcement of every court order in every case. 24

The Senate, he said, had insisted on saying that no federal court could punish for contempt without first granting a jury trial — even for a person ignoring the court's subpoena

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<sup>22</sup>  
Cong. Rec., 85 Cong., 1 Sess., (Aug. 22, 1957),  
 p. 15665.

<sup>23</sup>  
 Attorney General William Rogers is said to have compared the Senate version of the bill to handing a policeman a gun with no bullets. Dwight D. Eisenhower, Mandate for Change (Vol I of the Eisenhower Memoirs, 2 vols.; Garden City, N.Y: Doubleday and Company Inc., 1963), p. 159.

<sup>24</sup>  
Cong Rec., 85 Cong., 1 Sess., (Aug. 22, 1957),  
 p. 15666.

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to appear in court.

A few days later he said that the Senate had sent back a civil rights bill, "...so full of holes ...that any lawyer could see that it could never stand!"<sup>26</sup> Especially harmful, he declared, was the provision limiting the maximum punishment for criminal contempt to a \$1,000 fine. Giant corporations, he indicated, could violate the Antitrust Act almost with impunity.<sup>27</sup>

However, when the civil rights compromise was soon molded by a conference committee, Keating was more agreeable to the proposal. "What we have today is a real compromise not a surrender," he told colleagues.<sup>28</sup> The Rochester Congressman called for passage of the bill and seemed content that the jury trial provision added by the Senate was now softened to permit a jury trial option utilized at the judge's discretion.<sup>29</sup>

This compromise bill was adopted by both Houses in late August and was signed into law September 9, 1957 as the first

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Ibid.

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Ibid., (Aug. 27, 1957), p. 16088. While supporting the Conference Report, he seems to have referred momentarily back to the bill previously returned as HR6127 by the Senate.

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Ibid.

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Ibid.

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Ibid.

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Civil Rights Act in eighty two years. In contrast to what Mr. Keating must have felt about this bill's passage, one columnist was quoted as saying that this was, "...a week of infamy in the United States Congress".<sup>31</sup>

Immigration and Displaced Persons -- Legislative

Commitments. During his first session as a Congressman, Mr. Keating advocated, "...framing our immigration policy to consider the requirement of our economy"; according to one report.<sup>32</sup> Paying due respect to, "...our natural humanitarian instincts"; he nevertheless pointed out that, "it is to the advantage of this country to select from the quotas for entry those who can contribute most...."<sup>33</sup>

A year later Keating was quoted as attacking President Truman's opposition to the Displaced Persons Act. The President's comments that the Act discriminated against Catholics, Keating said, had been "exploded" by Catholic leaders. At the same time the Congressman tried to amend the Act to extend

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Eisenhower, op. cit., p. 162.

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Cong. Rec., 85 Cong., 1 Sess., Aug. 27, 1957, p. 16112 (Congressman Davis of Georgia quoted writer David Lawrence from a column in the Washington Post).

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Roch. T.U., Aug. 6, 1947, p. 1A.

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Ibid.

until April 21, 1947 the shutoff date whereby refugees could qualify for entrance into the United States (instead of the original date of December 22, 1945). The effect would have been to gain eligibility for those fleeing Russian controlled territory during the first two years of peace.<sup>34</sup>

One Rochester newspaper, a short time later, heralded Keating as, "...one of the most outspoken House members on behalf of Displaced Persons".<sup>35</sup> This particular comment came as a backdrop for the paper's announcement that the Upstate Legislator's concern had reached the point that he made arrangements to bring a displaced mother and her seven year old daughter to his own home. The paper noted that the mother would serve as a domestic for the Keating household so as to meet the employment requirement for entrance into the country.

Cognizant of the fact that more than twenty per cent of his constituency was of Italian extraction, Keating sought unsuccessfully in 1948 to have the Italian Consulate in Rochester (closed since before World War II) reopened.<sup>36</sup>

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<sup>34</sup>

Roch. T.U., Aug. 6, 1948, p. 10A.

<sup>35</sup>

Ibid., Mar. 8, 1949, p. 18.

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Ibid., Sept. 4, 1948, p. 2. Also, he spoke against taking American citizenship from 4,000 Americans who had been encouraged to vote in Italy (Ibid., Jan. 7, 1950, p. 12).

Similarly, the local Congressman complained at a later date that much of the burden of immigration matters had fallen on Rochester's Chamber of Commerce which he said handled about 3800 such calls a year. In this respect, he asked for a full time immigration office in Rochester.<sup>37</sup>

As a member of a Congressional Committee (Judiciary) whose announced purpose included, "seeking information of the plight of refugees", the Congressman visited Rome in 1949. Here he heard Pope Pius XII announce that he was, "...doggedly determined to see this giant specter of human dereliction forever banished from the conscience of mankind."<sup>38</sup> Though evidence has not been found to compare the Keating determination to do likewise, there is sufficient evidence to suggest a similar and continuing concern on his part to alleviate the "plight of the refugee".

When the first full-scale immigration bill (soon to be known as the Walter — McCarren Act) of the post war years came before Congress, the Upstate Republican announced his approval. It will put no strain on the nation's "full employment economy", he said, "...and will be a great humanitarian

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Roch. T.U., Nov. 30, 1950, p. 33.

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Ibid., Oct. 3, 1949, p. 19. According to this news article, the Pope was referring to the "...blight of peacetime detention camps", in particular.

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measure".

Also, Keating pointed out that of the 393,542 aliens already admitted to the country under previous action, only 2 were discovered to be subversives. And the screening under the new bill is even more stringent, he added. To make certain, however, Congressman Keating journeyed with two House colleagues to Europe at the announced "personal request" of Republican Leader Joseph Martin to observe the new screening process being set up under the Act (after the Congressional adjournment). Upon his return, Keating announced satisfaction with the functionings he had witnessed.

In 1956, the Upstate Congressman introduced four bills, "...to carry out President Eisenhower's recommendations for revising the McCarran-Walter Act". He emphasized in so doing that updating the nation's immigration policy was necessary to offset charges of discrimination from abroad. "The time has come for progress or else this country will be left be-

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<sup>39</sup> Roch. T.U., July 29, 1953, p. 1. <sup>40</sup> Ibid.  
<sup>41</sup> Ibid., Aug. 7, 1953, p. 1; Ibid., Aug. 27, 1953,  
p. 18.

<sup>42</sup> Ibid., Oct. 14, 1953, p. 12;

<sup>43</sup> Cong. Rec., 84 Cong., 2 Sess., (Feb. 9, 1956), p. 2472. Simultaneously, Senator Arthur Watkins (R. Utah) introduced similar bills in the Senate. One version of Keating's major points were capsulized in the headline of one local paper which said; "Congressman Keating's Four Bills Bolster Principles of Freedom". Webster Herald, Feb. 16, 1956, p. 3.

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-hind in the present world conflict...," he said.

The Keating Proposals were intended to alter the basis for the quotas then in use, from the 1924 population figure to those of 1950. The total quota for yearly immigration, he said, should therefore, be raised from 154,657 to 219,461. Unused portions of quotas assigned to nations should not be "wiped out" each year as was presently the case, but should, according to the Congressman, be assigned to four regional pools for use by other nationalities. <sup>45</sup>

The second Keating proposal was designed to, "eradicate the burdens" of private relief immigration bills on Judiciary Committee members, which he said, "...now approaches a national calamity... because of the time and energy it robs...from us". <sup>46</sup> Although he agreed with the President that immigration policy should be established by the Legislature rather than by an administrative body, his bill would have granted the Attorney General power to make limited discretionary exceptions to the policy. <sup>47</sup>

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<sup>44</sup>  
p. 2473. Cong. Rec., 84 Cong., 2 Sess., (Feb. 9, 1956),

<sup>45</sup>  
Ibid. These "pools" would be formed from European nations, African nations, Asian nations, and peoples from Oceania.

<sup>46</sup>  
Ibid.

<sup>47</sup>  
Ibid. Private bills were usually used for this.

The third and fourth bills would augment the Attorney General's administration of the immigration plan and delete certain "discriminatory" provisions from the policy then in use. Included would be the establishment of a single, uniform method of judicial review regarding deportation orders.<sup>48</sup>

Again in 1957 the Rochester Congressman took up the cause of immigration. Though there was still hope, he noted, the "sweeping revision" requested by the President had not made much progress.<sup>49</sup> He seemed happy that one Senate-passed bill (S2792) included a provision "...that I have urged for a long time (that of reuniting families "...tragically separated by the end of the Refugee Relief Act or the filling of quotas...")".<sup>50</sup> But he called a "...skeleton where it should be a robust body".<sup>51</sup> Among other things, he criticized it for ignoring homeless exiles from the Hungarian uprising.<sup>52</sup>

Although the records indicate that Keating again in 1958 submitted a bill to amend the Immigration Act (HR11167), he seems to have found little success in the intervening weeks

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<sup>48</sup>  
Cong. Rec., 84 Cong., 2 Sess., (Feb. 9, 1956), p. 2473. In this regard, Keating said, "I heartedly support the proposition that persons affected by administrative decisions under the immigration laws should have access to judicial review."

<sup>49</sup>  
<sup>50</sup> Ibid., 85 Cong., 1 Sess., (Aug. 28, 1957), p. 16303.

<sup>51</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

between this and the end of his House career. "It is time to oil the hinges of our legislative machinery in this field," the Congressman told his cohorts.<sup>53</sup> But if a need for oiling existed, Keating's efforts to meet the need were not rewarded with success. And unlike his success in the field of Civil Rights, therefore, the Upstate Legislator could not claim a proverbial "half a loaf" in this field.

Summary and Conclusions. It seems difficult to imagine an elected legislator erecting a record of opposition to measures qualifying for a place within the human rights category. Therefore, it may not be surprising to note while summarizing the Keating commitments in this field, that he seemed to be a Congressman with a concern for people.

What may tend to be of more significance was the fact that a Congressman whose efforts in fields such as domestic spending were conveyed to the public as those of a conservatively orientated spender, should mold for himself a considerably more liberal image in terms of immigration and discrimination measures. A portion of this emphasis toward liberalizing immigration policy and legislating against racial and religious discrimination could perhaps be explained by the

comparatively cosmopolitan composition of his constituency, but this likely would not be adequate explanation for all phases of this emphasis.

In weighing the influence attributable to Keating's efforts in these fields, it should be noted that the evidence discovered in this survey does not seem to warrant the Rochesterian a position of legislative leadership in either the cause of displaced persons or matters relative to immigration. However, a conclusion to the contrary seems to be supported in terms of civil rights efforts.

Though it is beyond the scope of this survey to explore in depth the intricate origins and outcomes of individual pieces of legislation, it seems evident to the author after tracing the daily floor debates on the civil rights measures of 1956 and 1957, that Congressman Keating did indeed command and control the progress of the bills sufficiently to have earned plaudits befitting leadership.

A somewhat different story will appear in the following chapter where two other aspects (arbitrarily categorized with this chapter as being social issues) will be surveyed. In both education and labor legislation, however, the Rochester Congressman's interest seems to have been notably different.

CHAPTER XIII  
EDUCATION AND LABOR

To conclude the survey on the domestic aspects of Kenneth B. Keating's House career, this short chapter will focus on two final topics. In respect to this, it should be noted that perhaps indicative of some of the thinking of both the House and Mr. Keating, these two topics seem to have substantially less material available than has been found for numerous other topics. Nevertheless, an attempt will be made in this chapter to reflect the highlights of Mr. Keating's House commitments in the areas of education and labor. Hopefully, with the addition of these two final components of this legislative puzzle produced by the Upstate Legislator on domestic matters, a major mosaic image of this, perhaps Rochester's best known political leader, will have been reconstructed.

Education. As has been suggested, the sparsity of Keating commitments in this field may prove to be a strong indication as to his feelings relative to the importance of federal legislation on educational matters. For example, it appears to have been about the middle of his second term in Congress before a major legislative decision appears on his

record relating to education. At this time (early 1950) Congressman Keating approved the establishment of the National Science Foundation and pointed to the fact that private support for universities (which he said, have been the core of basic scientific research) had been curtailed by federal tax policies.<sup>1</sup> "Our national security and progress make it essential that we find supplemental means of support for basic research," he explained.<sup>2</sup>

Likewise, when the House in 1953 authorized \$227 million for constructing schools in "federally impacted areas," he approved the philosophy involved. Quantities of federal (tax free) property in some areas, he noted, drains large amounts of tax income from the local school districts in such places, making construction a hardship for local citizens.<sup>3</sup>

In relation to a similar bill in 1956, Keating spoke out in favor of preventing the use of federal funds for construction of segregated schools. Outlining some of his philosophy, Keating explained:

We know that the question of segregation in many communities is giving rise to grave problems. They can not be disposed overnight. They must not be ignored or subjected to resolution by force. The principle of integration must be upheld under our Constitution. At the same time, we must in wisdom and fairness, avoid extremist tendencies. That is exactly what the Supreme Court recognized in its decision when it said that it was left

<sup>1</sup>Roch. T. U., Mar. 2, 1950, p. 11.

<sup>2</sup>Ibid.

<sup>3</sup>B. P. Post., Aug. 20, 1953, p. 6.

to the Federal judges in the various areas to implement<sup>4</sup> the decision of the Supreme Court by subsequent decision.

The Congressman added something of a corollary to his philosophy on federal aid for school construction when in 1957 he helped defeat authorization of \$1.5 billion for this purpose. The bill was, he said, ".too much of a compromise in favor of those who feel every state should get Federal<sup>5</sup> aid."

About the same time, President Eisenhower suggested that Congress legislate a plan to subsidize advanced education and the Upstate Republican responded with the comment; "frankly, I am not wild about the idea of outright Federal grants to fill this void. I would prefer to see a Federal loan fund established to do this job"<sup>6</sup> In this regard, Keating a short time later, therefore, submitted a bill (HR11261) to establish a self liquidating federal education loan program directed toward the most promising high school graduates.<sup>7</sup>

In supporting his proposal, the Congressman noted that the recent Russian strides in space (Sputnik's flight had occurred a short time before) technology provided a challenge that we must meet. Rather than offering students a financial gift for their advanced education, however, he felt that,

<sup>4</sup> Cong. Rec., 84 Cong., 2 Sess., (June 28, 1956), p. 11301.

<sup>5</sup> B.P. Post., Aug. 8, 1957, p. 3. <sup>6</sup> Ibid.

<sup>7</sup> Cong. Rec., 85 Cong., 2 Sess., (Mar. 6, 1958), p. 3646.

"...a loan has the virtue of providing funds and developing a sense of responsibility at the same time. The student's mind and character are simultaneously strengthened". This comment perhaps better than any other found in this study, probably capsulizes his approach to the topic of federal aid for education.

Labor. Much of Congressman Keating's relatively few legislative commitments related to labor centers in some way around the Labor Management Relations Act of 1947. In the middle of his first session as a Congressman, the Upstate Republican voted for passage of the bill which incorporated most of its features (HR3020), approved the conference report which soon became this Act (or perhaps has been equally well known as the Taft-Hartley Act), and seems likewise to have helped override President Truman's veto to gain enactment for the measure.

Although this series of votes seems to show that Mr. Keating was leaning toward a satisfactory substitute for the

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Cong. Rec., 85 Cong., 2 Sess., (Mar. 6, 1958), p. 3646.

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Ibid., 80 Cong., 1 Sess., (April 17, 1947), p. 3670 (passage of HR3020); Ibid., (June 4, 1947), p. 6392 (passage of the Conference Report); The House vote to override President Truman's veto was a non roll call vote but a local paper (Roch. T.U., June 20, 1947, p. 1.) said Keating voted "yea".

Wagner Act, there is some evidence that he was not totally happy with the 1947 measure. For example, his initial vote favoring passage of HR3020 he told the press that a "no" vote would have sounded the "... death knell of any labor legislation". He added, "The bill certainly does not conform to my views in all respects," but suggested that improvements could be added in conference with members of the Senate.<sup>10</sup>

The following day he elaborated in the press on particular aspects of his labor philosophy:

I favored the passage of a constructive, curative labor bill which would further protect workingmen, their bosses, and most of all, the innocent public from the paralyzing effects of serious and prolonged work stoppages.<sup>11</sup>

At a later date he expressed confidence in the law ultimately enacted, and predicted that, "it will have none of the dire consequences which its opponents so freely predict".<sup>12</sup> The act, he said would:

... improve the position of the men and women who labor, will foster true collective bargaining, will strengthen the labor movement and will restore a measure of harmony to the industrial picture to the ultimate benefit of labor, management and the consuming public.<sup>13</sup>

Lest these comments be construed to suggest that he

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<sup>10</sup>

Roch.T.U., April 18, 1947, p. 4. A direct quote.

<sup>11</sup>

Ibid., April 19, 1947, p. 1A. A direct quote.

<sup>12</sup>

Ibid., Oct. 22, 1947, p. 2A. A direct quote.

<sup>13</sup>

Ibid.

was entirely satisfied with this Taft-Hartley Act by this time, it should be mentioned that in the Second Session of the Eightieth Congress the Upstate Republican submitted a bill (HR7150) "to amend the Labor Management Relations Act of 1947 to equalize legal responsibilities of labor organizations and employers ..." Later, in the same vein, he submitted similar bills in each of the five remaining Congresses of his House career.

In 1949 a clearer look at Keating's thinking may be obtained when the Taft-Hartley Act was threatened with repeal. The Rochesterian voted with the majority to bring the "Wood Bill" up for consideration which was described as a measure to repeal the Taft-Hartley Act but "reenact all its major provisions"<sup>14</sup>. Likewise he voted to pass the Wood bill when the matter did gain consideration, but this attempt was unsuccessful.<sup>15</sup>

During the lengthy debate that preceded the bill's defeat, Keating, himself was said to have proposed two (of the several) amendments to the bill. The first was designed, he said, "... to make it clear that no labor organization

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<sup>14</sup>  
Cong. Rec., 81 Cong., 1 Sess., (April 26, 1949), p. 5062 (HR2032); Ibid., (May 4, 1949), P. 5543; Roch. Dem. Chron., April 15, 1949, p. 1.

<sup>15</sup>  
Cong. Rec., 81 Cong., 1 Sess., (May 4, 1949), p. 5597. The Wood Bill gained its name from Georgia Democratic Congressman John S. Wood who introduced it originally.

can be held responsible for the acts of any member solely on the grounds of such membership".<sup>16</sup> The second Keating proposal was to preserve, "... contractural arrangements already existing for close shop contracts".<sup>17</sup> These as well as several other amendments were accepted to the Wood Bill (before it was defeated) and Keating was quoted as saying that they<sup>18</sup> "...greatly improved it".

Among the Upstate Legislator's other, apparently unsuccessful, attempts to alter this Wood Bill was a proposal to speed action when crisis work stoppages in "key industries" occurred. His suggestion for this included the requirement that in such situations the President proclaim a national emergency within five days. Following this the Chief Executive would appoint an emergency panel to investigate and report within twenty five days. The President would then be empowered to obtain an injunction to halt the strike for a period up to forty days.<sup>19</sup>

A relatively novel provision contained in this unsuccessful Keating suggestion would have required the President to, "...transfer the entire dispute to Congress for emergency action" if the parties in the strike did not meet within five

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<sup>16</sup> Roch. T.U., May 4, 1949, p. 13.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid. <sup>19</sup> Roch. T.U., May 3, 1949, p. 8.

days after the emergency board reported. This possibility,<sup>20</sup> he said, "... will have a salutary effect on management and labor in bringing them together".<sup>21</sup>

In labor matters not directly associated with the Taft-Hartley Act, Keating voted in 1955 to amend the Fair Labor Act so as to raise the minimum hourly wage for those covered by this provision, from seventy five cents to one dollar.<sup>22</sup> In 1958 Congressman Keating opposed the Kennedy Labor Bill (S3342) when it came up for passage and criticized Speaker of the House Rayburn for the manner in which the bill was handled on the floor, later in his Senate campaign.<sup>23</sup> "Obviously, the Democratic Party line was to prevent full consideration of labor legislation and use it for political purposes," he declared.<sup>24</sup><sup>25</sup>

Also during this campaign, the Upstate Republican revealed another glimpse of some significance into his thinking regarding unions. The "Right to Work Law", according to Keating, is a misnomer. "Just as the majority stockholders

<sup>20</sup>

Roch. T.U., May 3, 1949, p. 8.

<sup>21</sup>

Ibid.

<sup>22</sup>

Cong. Rec., 84 Cong., 1 Sess., (July 20, 1955), p. 11087.

<sup>23</sup>

Ibid., 85 Cong., 2 Sess., (Aug. 18, 1958), p. 18963.

<sup>24</sup>

An untitled, typewritten policy pamphlet used in the Keating for Senator Campaign Headquarters, New York City, Keating Papers.

of a corporation have the right to control the policies of the corporation, so have the members of a labor organization representing the workers of a particular company," Keating said in a campaign policy statement. He continued by saying, however, the "union shop" idea is a matter which rests "primarily" at the state level and therefore should not be subject to federal jurisdiction.

Summary and Conclusions. Both the topics of labor and education seem to reflect something of an absence of available evidence useful to this survey. In terms of labor, Mr. Keating favored the Taft-Hartley Act though committing himself to some modifications. He rejected, however, the Kennedy Labor Act (The Labor Management Reporting and Disclosure Act) apparently on the grounds that the Democratic leadership in the House would not permit "full discussion" or changes.

Relative to education, there appears to have been a decided reluctance on Mr. Keating's part toward supporting federal intervention. Exceptions to this would be his support for such things as the National Science Foundation, a federal school construction program for areas near military bases, and a major education loan program (soon after the Russians orbited the world's first space craft). Likewise, as may have been evident from the role he played in the

passage of the Civil Rights Act of 1957, Keating advocated the prohibiting of the use of federal funds in constructing schools which would be segregated.

A likely conclusion drawn from material in this chapter might be that the Upstate Republican's efforts in both the field of labor and that of education did not mark these as areas of his major concern. Though this lack of emphasis on such matters can hardly be considered to be a characteristic uniquely belonging to Mr. Keating, it nevertheless is probably among the most significant discoveries in the chapter.

The next chapter of this work is intended as the conclusion, and as such, will leave the realm of specific topics for the most part. Although a claim can not by any means be made that the preceding pages have recorded commitments in all phases of his House career, it is hoped that the highlights of Kenneth B. Keating's legislative commitments relative to domestic issues have been accurately reflected.

## CHAPTER XIV

### AN OVERVIEW OF THE KEATING IMAGE

It is left for this, the concluding chapter of the Keating survey to supply a final measure of dimension to the preceding pages. This will be attempted first in a section discussing the pertinent Congressional elections not mentioned in the introductory chapter of this work.

The second section will review the more significant and characteristic facets of the Keating legislative image which has been projected throughout these pages. And, finally, the concluding phase of the Keating Overview will concentrate on distilling some portion of the image voters may have envisioned, based on assorted glimpses of the man they knew as "Ken Keating".

An Overview of Remaining Elections. Kenneth Barnard Keating, a native of the Genesee Country in Upstate New York, was in 1958 nominated for and elected to a seat in the United States Senate. As was mentioned in the opening paragraphs of this study, it is not unlikely that the prime consideration in this Keating success was the Congressman's image which had been accumulatively conveyed to the voters.

Although the 1958 election was the first state-wide

election to test this Keating image, some brief mention should be made prior to discussing it, of the several local tests it had encountered. In addition to the 1958 victory and the initial victory in 1946 (See Chapter I), Mr. Keating went before his district's voters five other times and won consistently.

Although some would regard these victories as votes of confidence, others might remind themselves that a two man race offers voters only one alternative. Such people would perhaps look to the 1948 test as a self explanatory substantiation for this view.

In this election the Republican Legislator won by a 90,182 to 85,339 margin over former Congressman George Rogers, the man he had defeated by almost 19,000 votes in 1946. Rogers, by now a victim of heart trouble, had been in the hospital as recently as September of 1948 and died November 20, less than three weeks after the election. However, lest the physical condition of his opponent seem to be the only factor worthy of consideration in this race it should be noted that this was the year of the surprise Dewey defeat, and also a time when Mr. Keating had traveled in Europe for the month of September thus abbreviating his campaign to some degree.

In 1950 Congressman Keating was opposed by A. Roger Clarke, a thirty one year old lawyer from the suburb of

Webster. The incumbent won this race by a 103,519 to 51,470 margin.

The 1952 Democratic opponent was Victor Kruppenbacher who worked as a lens grinder in a local optical company. Kruppenbacher lost to Keating by a margin of 128,566 votes to 53,873, and in this win the Congressman outpolled Dwight Eisenhower in all but one of his towns and city wards. It should be noted also that following the 1950 census, the boundaries and number of his district had been changed. A preponderance of Republican registrants was still a characteristic of his newly numbered Thrity Eighth Congressional District, however.

The 1954 election was both a victory and if some press reports are accurate, something of a loss as well. Keating won his race for reelection by a margin of 87,009 to 35,772 over Rubin Brodsky, an Irondequoit lawyer. However, in another contest the Republican Senator Irving Ives was defeated (by less than 10,000 votes) in a bid to win the gubernatorial seat. Keating was reported to be an active contender for the chance to have served the remainder of Ives' term in the United States Senate if the governor's race had been won by the Republican.<sup>1</sup>

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<sup>1</sup>Roch. T.U., Sept. 14, 1954, p. 19; Ibid., Sept. 23, 1954, p. 1.

Starting early in 1956 there were some indications in the press that a move to run Keating for the Senate had begun. However, these seem to have expired in midyear sometime prior to the announcement that Jacob Javits would be nominated for the post.

When the Congressional election votes were counted that year, Keating was again declared the winner on the basis of a 132,575 to 54,132 vote. His opponent in this, his last race for a House seat, was Reed Harding, a Rochester salesman.

By at least early 1958, speculation became visible in the press as to the possible nomination of the local Republican Congressman for a Senate seat which would become vacant that year. Though the Rochester Legislator seems to have made no audible commitment in favor of these efforts, they increased and climaxed in late summer when the announcement was made that Mr. Keating had accepted the Senate nomination. Following this, a campaign that accented numerous phases of the record molded in Keating's House career was waged and resulted in a 2,844,701 to 2,713,478 Keating win over New York District Attorney Frank Hogan. In terms of elections and this survey, it was this victory that marked a Keating "high water mark".

An Overview of the Keating Legislative Record. In the preceding chapters the various domestic topics have been classified in four general sections. First was the section entitled "Domestic Economy — General Phases". The next section was called "Domestic Economy — Specific Phases". Third was the section labeled "Domestic Security"; and the last section was built around the theme of "Social Issues".

A review of these sections should perhaps focus on the fact that there seemed to be at least three major patterns of emphasis visible among the hundreds of legislative commitments found in that reflected record of Congressman Keating's. The first one to appear in this survey related to his image as an opponent of growth in the federal government. In this regard, the Rochester public was exposed on numerous occasions to evidence of Keating's efforts to cut or at least control federal spending. Cuts in government spending could easily be translated into meaningful taxpayer savings, and the impression that this Republican was fiscally conservative could readily be acquired from following many of the press reports.

Incidental to this aspect of his domestic economy commitments, however, might be some of the numerous examples wherein the Keating record could be thought of as lacking some of the characteristics basic to conservatism. For example, constituents who were quick to rejoice at budget

cuts advocated by Keating may have had little opposition to his support for the expansion of benefits for social security, veterans, and postal workers -- all of which would contribute to the growth of the federal government. Likewise, although reflecting caution toward government intervention in education, the Congressman found economic justification for supporting in months of peace some wartime economic controls which represented similar federal intervention. In the same vein, he arrived at the point in the late 1950's where he supported involvement in such things as a highway construction program. Whether or not such commitments by the Upstate Republican reflected political acquity, economic wisdom, or both, is perhaps less significant than the fact that they might affect the meaning of the word "conservative" if it were applied to him.

A second pattern of major emphasis within the Keating image-making commitments seems to have been a concentration of efforts toward improving the enforcement of the nation's laws through investigation activities and legislative attempts to tighten loopholes against abuses by Communist or crime syndicates. If, in this regard, this study of Keating were preoccupied with labels, it might be noted that although the Keating efforts in this field did characteristically contain safeguards against abuses, such suggestions as legalized

wiretapping and court orders to force balky witnesses to talk may have been quite unacceptable to liberals of the day.

A third pattern of major emphasis could be found in the general field of Human Affairs reflected by an apparently continuing interest in personal service to people and specifically focusing on minorities and the associated topic of discrimination. In this respect, it may well be that no one item in that vast forest of legislative commitments made by Congressman Keating could represent more of a long range contribution of noteworthy significance to the nation's laws than did the results of his work toward gaining passage for the 1957 Civil Rights Act of 1957.

In a capsule, therefore, the major legislative emphases found in this survey seem to reflect a fiscal conservatism, a law enforcement concern which might fit comfortably within some definitions of conservatism, and a focus on human affairs that would be acceptable to many liberals.

An Overview of the Man Called "Ken Keating"; Relative to the Image Building Media. That the "Ken Keating" which the public repeatedly returned to Congress was a reflection or an image rather than a man or that man's record, is an assumption which provides the basic purpose for this survey.

Equally important (and equally tenable) is the assumption that through local news media the record of Congressman Keating's legislative commitments was translated to the masses and to a large degree through this process his legislative image was molded in the public eye. This is not to preclude the possibility, however, that as a person the Congressman approached his multifaceted responsibilities in such a way as to successfully convey through personal contact sufficient glimpses of amiability, reliability and legislative craftsmanship to mold at least a portion of the desired image himself.

But what was the image for which Rochester citizens voted when they pulled the Ken Keating lever during these twelve years? Perhaps they themselves could not agree in answering this question. While it is obvious that a majority favored him in each election, it is likely that as individuals these voters accepted as most meaningful those portions of his mosaic image to which circumstances most closely allied them.

In general (based on the author's several years of associations in the Rochester area), it is not difficult to gain the impression that his more dedicated supporters viewed Mr. Keating as a leader's leader in Washington rather than as one Representative in a Congress of about five hundred members.

Also in this respect it should be noted that although he and others agreed (with Woodrow Wilson's appraisal <sup>1</sup>) that Congress is basically ruled by the chairmen of the standing committees, many Rochesterians would likely overlook the fact that the fortunes of politics offered Keating no opportunity to serve as chairman of such a committee. <sup>2</sup>

However, perhaps many of the voters would realize these realities, but in choosing the Keating lever would ignore the theme of legislative leadership and vote primarily for the smiling figure who once shook their hand. These might have seen the local Legislator less as an intricate composite than simply the human figure described by one columnist during a Keating campaign as:

... a handsome man, dynamic, exuding personality .... The distinguished candidate tours the sidewalks of State Street, bareheaded, white mane flowing, natty raincoat thrown back jauntily. <sup>3</sup>

Other voters might build their impressions of their

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<sup>1</sup> Kenneth B. Keating, Government by the People (New York: The World Publishing Company, 1964), p. 70. At this point Keating quotes Wilson in support of this idea.

<sup>2</sup> A conclusion which this author considers to be substantiated by numerous aspects of the evidence discovered for this survey is that the abilities of Mr. Keating seem to have been adequate to support the assumption that he would not have long remained among the back rows of Congress whether or not he had received a titular position of Congressional leadership.

<sup>3</sup> Roch. T.U., Sept. 27, 1958, p. 1B.

Congressman primarily from his response to a lone letter sent with some urgency to the distant place called Washington D.C. If his pen could adequately bridge the distances in the dozens of such weekly responses, a Legislator could cultivate considerable quantities of good will over the years through this medium.

In this respect, Mr. Keating seems to have handled much of the correspondance labors personally, and letters such as the following from the Keating files reveal aspects of his composite that may not be evidenced often in the press.

Dear Mr. Hogan:

This will acknowledge your letter of January 22, protesting against your inability to secure warm clothing, from I presume, the welfare authorities.

Since this is purely a local matter over which I have no jurisdiction, I fear there is nothing I could do in this connection. However, some time ago, I left some clothing with my Rochester secretary at my office, room 107 in the Federal Building. If this is not available, there is perhaps some clothing you could use at my home, 3500 Elmwood Avenue, if you will contact my wife there. 4

Voters who would be aware of this part of the mosaic Keating image might well assume the total veracity of a campaign statement made by the Congressman relative to his job a few months later, and claim it as an additional factor of some significance in the projection of his image. At the time in question he declared:

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A letter from Keating to Mr. Leo Hogan, Jan. 26, 1950, Keating Papers.

The greatest single satisfaction which I have derived from my Congressional experience has been the opportunity it has given me to be of help to the people of this community, of all races, of all creeds, of all political affiliations and of all stations in life. 5

But even after granting Mr. Keating considerable credit for projecting the "Ken Keating" image through his personal efforts, a historian likely would return to the basic premise that the translation of the Keating record to the public was for the most part a result of the work carried out by the news media. If that be true, logic would likely dictate a question as to the views of the press regarding the Republican Legislator.

An opinion of some validity on such a question could come from one of the publishers whose comments in 1946 had been among the few published criticisms discovered relative to Keating's initial candidacy. 6 By 1958 this man wrote:

We share the convictions of the GOP brass at the recent convention that Ken Keating would make a great U.S. Senator.

He has been in the forefront in major legislation has had enviable press relationships and is highly regarded by his fellow Congressmen. Next to Sheriff Skinner more voters love Ken Keating than any other area politico. 7

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A Keating speech delivered Oct. 10, 1950 at Candidate Night activities in Rochester, Keating Papers.

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cf. ante, page 6.

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Webster Herald, Aug. 28, 1958, p. 4. The writer, Curt Gerling had earlier been with the Rochester Sun.

Unfortunately, records of radio and television news coverage for these Keating years seem to have passed from existence. But a survey of the plentiful supply of newspapers available could support a conclusion that most of the news sources were operated by people who were generally friendly to the cause of Republicanism. Therefore, perhaps as a reflection of these philosophies, or possibly as effective testimony to Mr. Keating's ability, it may be of significance that the reearch for this study has found few news or editorial reports reflecting negatively on the name "Ken Keating".

In concluding this phase of the Keating overview, mention should perhaps be made of a final portion of that reflected record which is perhaps beyond partisan overtones. This relates to his numerical record of voting during his House career which shows a marked consistency in his having voted on virtually every occasion that a roll call vote was taken. During each of his elections as an incumbent Keating alluded to his near perfect record of casting votes, until by the 1958 race he was able to say that he had in twelve years recorded a total of 1064 out of a possible 1108 votes. <sup>8</sup>

The Congressman's reference to this often was accompanied by explanations such as one offered in 1950 in which

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These figures were part of the compilations on an undated inter office memo found in the 1958 campaign files. Keating Papers. Pairings were not included in the 1064 votes.

he said:

Part of this record is due to the fact that a gracious Providence has kept me in good health, part of it is due to my unvarying and unyielding adherence to the principle that so long as I am serving the people in Congress, my first duty lies in Washington, and my personal inclinations or interests must take a second place.<sup>9</sup>

With reference having now been made to this, the final aspect of the Keating composite to be considered a brief summation is perhaps in order.

Summation. This chapter has attempted to discuss the reflection of Kenneth B. Keating as it might have been envisioned by voters whose distance from him would not permit a close scrutiny of specific aspects within his legislative record. From this vantage point the Congressman's numerous victories at the polls would be plainly visible as would also be his practice of recording votes on virtually every issue for which such an opportunity was presented. Too, it seems apparent that although the image on which his election victories rested was partially constructed and conveyed by the personal traits of Mr. Keating himself, a larger portion is probably attributable to the assortment of friendly news publications.

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A Keating speech delivered Oct. 10, 1950 at Candidate Night activities in Rochester, Keating Papers.

Legislatively, his image appears as that of one who gravitated generally well within the mainstream of his party.<sup>10</sup> It is, however, something of a testimony to the political craftsmanship of the man that significant Keating efforts had likely been attended by certain elements of endearment from liberals (both Democratic and Republican) and nearly simultaneously, other commitments may well have firmed alliances with conservatives (both Democratic and Republicans).

More specifically, it could be said that fiscal conservatism and an emphasis on tightening law enforcement procedures could form platform planks on which Keating and his more conservative constituents could stand side by side. Likewise, as an Eisenhower-Benson supporter, the Rochester Congressman could likely speak the language of that heavy percentage of Upstate farmers who were Republicans. In terms of federal intervention into phases of the nation's economy he was for the most part also on safe ground with Republicans in general.

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One author in commenting later on the fact that Keating gained a "coveted seat" on the Senate Judiciary Committee as a freshman Senator, noted that Senator Javits, his New York colleague, was forced to wait a few years for a committee assignment which he wanted. The author continued; "The real difference ... seems to have been that Keating was considered an organization man while Javits was something of a maverick." Daniel M. Berman, In Congress Assembled, The Legislative Process in the National Government (New York: The Macmillan Company, 1964), p. 148.

Meanwhile, the variety of humanitarian commitments made during these years could be expected to earn a certain friendship for the Congressman with liberals who might have otherwise opposed him for the commitments he had made in the conservative direction. The political implications of these various alliances probably speak for themselves.

In brief, it goes without saying that Congressman Keating enjoyed a legislative image, reflected from commitments relative to domestic affairs, that could have been an enviable asset toward future political goals.



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