MR. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 33]

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution—House Resolution 558—providing for the consideration of S. 167, a bill to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes.

The Speaker. On the rollcall 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ANTITRUST CIVIL PROCESS ACT

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By unanimous consent, further proceedings under the call were dispensed with.

MR. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 33]
a civil investigation to enforce the antitrust laws. 

In making a determination whether or not to bring a civil antitrust suit, wherever possible, should be made only after an adequate investigation. Fairness to a prospective defendant requires no less. On the other hand, to enforce the antitrust laws adequately on the civil side, the antitrust authorities must be able to make an adequate investigation and, if necessary, to give an injunction.

Although the Federal Trade Commission, like many other Government agencies, has authority to procure documents for investigative purposes, the Department of Justice, which, through its Antitrust Division, is the primary enforcer of the antitrust laws, lacks such authority. This proposed legislation would merely place the Department of Justice on a parity with other Government agencies in this respect.

Mr. Speaker, I urge the adoption of House Resolution 559, Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from California, this provides for an open rule of 2 hours for the consideration of S. 167, which if passed will permit the Attorney General, or his assistant in charge of the Civil Division of Antitrust, to request documents from corporations, partnerships, and associations in connection with civil antitrust cases. There are some four different ways by which investigations and papers can now be obtained.

One, of course, is to ask the person being investigated or the corporation to provide them. This has not been too effective over the years. The second is the grand jury method of subpoena. The third has to do with the Federal Trade Commission.

For some 40 years they have had the power to do as is asked for in this bill and, of course, the Department of Justice has used the Federal Trade Commission, but that is not the best way to do it. The Justice Department is reluctant to proceed in this way. Of course, the fourth is that they could file a suit in the Federal court demanding the papers, then a case would have to be filed in the Federal court demanding the papers. If the Federal court held that they had to give them up, then, of course, if they did not give them up they could be held in contempt of court.

The American Bar Association has worked on this bill and, I understand, approves of it.

I request the adoption of the bill.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE IMMIGRATION AND NATIONALITY ACT

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 559, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10079) to amend section 104 of the Immigration and Nationality Act, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, the bill shall be divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, or a subcommittee thereof, and shall be read for amendment under the five-minute rule. After the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the provisions of section 104 of the Immigration and Nationality Act as are ordered upon the bill and amendments thereto to final passage without intervening motion except other than a recess of 2 hours.

Mr. COLMER. Mr. Speaker, House Resolution 559 provides for the consideration of H.R. 10079, a bill to amend section 104 of the Immigration and Nationality Act, and for other purposes.

The resolution is an open rule of 2 hours with general debate.

The purpose of H.R. 10079 is to abolish the Bureau of Security and Consular Affairs of the Department of State as a separate unit charged with security functions such as investigation and supervision of personnel of the Department of State pertaining to suitability and loyalty to the United States. The program has been in existence under the Mutual Security Act of 1953 but were not continued under the Assistance Act last year. In addition, it will provide a fourth program which is a new program so far as Congress is concerned. These four programs I think are of interest to all of us, and I would like to mention them to you.

First, it will continue our participation in the Intergovernmental Committee on European Migration, commonly known as ICEM. The second will provide for the continuance of our participation in the United Nations High Commission for Refugees. The third is a small program which the United States has been engaged in to pass into assistance to a select category of refugees behind the Iron Curtain.

The fourth program is a new one so far as Congress is concerned and will authorize assistance in certain cases under the Cuban refugee program in the United States. The program has been in existence under Executive order. Funds have been provided by the Executive. This will authorize the program and permit appropriation of funds.

It is mainly for the assistance of the State of Florida that has so many people from Cuba at the present time.

No specific money is set forth in the bill. The estimates will have to be presented by the administration and subsequently considered by the appropriations bill.

Title I of the bill is new. In my opinion, it is a long overdue reorganization of the Bureau of Security and Counselor Affairs of the United States. It will authorize the operation or the participation by the United States in defined programs of assistance to certain migrants and refugees, and would authorize the appropriation of funds for such programs.

In addition, the bill H.R. 10079 would authorize the appropriation of funds to assist certain refugees from Western Hemisphere countries who fled to the United States in fear of persecution, which assistance has been rendered by using the President's emergency funds for the benefit of refugees from Cuba.

Mr. Speaker, I urge the adoption of House Resolution 559.

Mr. Speaker, at this point I yield 30 minutes to the gentleman from California, Mr. SMITH.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the gentleman from Mississippi, this is an open rule providing for the consideration of H.R. 10079, with 1 hour of general debate.

The contents of title 2 of the bill were passed last year, I believe, on the Consent Calendar. The other body added a number of amendments which were unacceptable to the House, so the matter has never been resolved. This is a further effort to try to get legislation several of the things which the Judiciary Committee of this body unanimously agree should be passed.

Title 2 of the bill would provide for the continuance of the programs that were in existence under the Mutual Security Act of 1953 but were not continued under the Assistance Act last year. In addition, it will provide a fourth program which is a new program so far as Congress is concerned. These four programs I think are of interest to all of us, and I would like to mention them to you.

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