

Mr. REID. Reserving the right to object—and, of course, I will not object, I am wondering how long the Senator intends to speak, approximately?

Mr. BYRD. I do not think I will go beyond 15 minutes.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

SENATOR HOWELL HEFLIN

Mr. BYRD. Mr. President, on October 28, 1919, the National Prohibition Act, also known as the Volstead Act, was passed by Congress over President Wilson's veto of the previous day. The act defined as intoxicating, any liquor containing at least one-half of one percent alcohol, and provided for enforcement of the provisions of the Eighteenth Amendment.

This singular event was to usher in the colorful era of the 1920's, with its flapper girls, its bathtub gin, and its legendary mobster figures. In 1920, the U.S. Census recorded a population of 105,710,620. The center of the population was judged to be 8 miles south, southeast of Spencer, in Owen County, Indiana. In 1920, for the first time, the total number of farm residents dwindled to less than 50 percent. It was a very different world.

This was the age into which, on June 19, 1921, HOWELL HEFLIN was born. The son of a Methodist minister, Senator HEFLIN is then, the child of a slower, more rural America—the kind of America into which I was born 4 years earlier—an era when there was always time to appreciate charm and wit in individuals and careful, considered, judgment in leaders.

Will Rogers came to prominence in the 1920's. Radio flourished as an entertainment medium in the late 1920's and early 1930's. It was an era when events and ideas were savored, talked about, discussed on the front porch and over the Sunday supper table. The humor was more wry than malicious, and taking a day or two to think about something was considered the norm. HOWELL HEFLIN is a product of those times, and a product of the South and his beautiful home state of Alabama.

His temperament is uniquely suited to the judiciary. He thinks about things carefully. HOWELL turns things over in his mind to see how they look from all sides. He speaks slowly. He measures his words, and he spices his statements with rich Southern tales and the folksy lore of Alabama.

And HOWELL HEFLIN's life has been nearly as rich and varied as his mannerisms and his speech. He graduated from Birmingham-Southern College and the University of Alabama Law School in 1948. This was the beginning of HOWELL's fabulous legal career in Alabama. HOWELL HEFLIN went on to become President of the Alabama State Bar in 1966. He took the oath of Chief Justice of the Supreme Court of Alabama in 1971, and, in 1975, Judge

HEFLIN was selected the most outstanding appellate judge in the United States. When HOWELL left the bench in 1977, there was no congestion and no backlog of cases in any of Alabama's courts, either trial or appellate. In 1978, HOWELL HEFLIN went on to cap an already notable career with election to the United States Senate.

Now serving his third and final term in the Senate, Senator HEFLIN is surely one of the most beloved Members of this body. He is a man to be trusted. He will take on a difficult task and bring it to conclusion with honor. HOWELL HEFLIN will not rush to judgment. I have tried to get him to on a few occasions, but I could not get him to rush to judgment. He does not leap to conclusions, or bow to pressures. It was for those reasons that I, as majority leader, appointed him chairman of the Senate Ethics Committee, a job that is anything but coveted in this body, but which demands unusual qualities of character and honor. And HOWELL HEFLIN is an honorable man. I am sure he did not enjoy the task, but he was perfect for the job because he is impeccably honorable as few men are.

Yet HOWELL HEFLIN is never pompous, never self-important, never ponderous or heavy with his viewpoints or pronouncements. He colors it all with his legendary humor, putting a light and artful touch on nearly everything with which he is involved. I have so wondered at the genesis of this delightful quality in Senator HEFLIN that I recently did a little background research on an uncle of HOWELL's, Senator Thomas J. Heflin, who served the State of Alabama in the U.S. Senate in the 1920's. I find that the delightful sense of humor appears to have genetic roots.

I now read from volume II of my own history of the United States Senate. And I read from page 137. I read from the chapter on filibusters. There was a filibuster going on in 1922. It had to do with a bill which was being filibustered by certain Senators in late February.

By late February, there was no longer any doubt that the obstructionists could and would keep the filibuster going until sine die adjournment at noon on March 4, throttling other legislation in the process. In the face of this threat, Senator Jones and the administration forces capitulated on February 28 by moving to take up a so-called filled milk bill, thus displacing the ship subsidy bill. In the words of Alabama Senator J. Thomas Heflin, the "miserable measure" had "gone to its long, last sleep." It was "already dead."

That sounds very much like HOWELL HEFLIN.

And on page 138, we read of another filibuster that was occurring in the spring of 1926. This was

... a filibuster was conducted against legislation for migratory bird refuges, but the bill died after an effort to invoke cloture failed. Legislation for development of the Lower Colorado River Basin suffered a similar fate when, on February 26, 1927, cloture was rejected by a vote of 32 to 59. Two days later, however, the Senate did invoke cloture on a Prohibition reorganization bill, although a final vote on the bill was delayed

for almost two days by the opponents of a resolution extending the life of a committee that was investigating charges of corrupt senatorial elections in Illinois and Pennsylvania. As Franklin Burdette, author of the study of filibusters, observed, "filibusterers against one measure had been able to make cloture against another serve their purposes for nearly two days!" At one point, Senator J. Thomas Heflin of Alabama—who, incidentally, was—

As I say, in my book

—an uncle of our own colleague and friend from Alabama, Senator Howell Heflin—ridiculed "obstreperous Republican filibusterers"—

This is Senator J. Thomas Heflin talking

—ridiculed "obstreperous Republican filibusterers" for obstructing action on the resolution for campaign investigations. "You are saying in your hearts," he declared with fine sarcasm:

Committee, spare that campaign boodle tree,

Touch not a single bow;

In election times it shelters me,

You must not harm it now.

Well, I can just hear HOWELL HEFLIN saying that. That is just about the way he would say it, except he would say it better than I said it.

I can hear Senator HOWELL HEFLIN saying something very much like that right today, should the proper kind of vexation come along.

I salute my friend and colleague, and I regret his decision to leave this body. I salute him for his character, for his wit, for his steadfast determination to follow his own star, to refuse to be hurried, to study and to deliberate until he is satisfied and at peace with his conclusion. I salute him for taking his time in a world which demands that everyone hurry. I salute him for his courage. This is a man who will be himself, and there is certainly no one else he would rather be. He is an Alabama original, and I regret that, in not too many months, Alabama will reclaim him.

But we here in the Senate will have enjoyed his wit, benefited by his wisdom, and been inspired by his integrity when that time is come. And just as we are certain in our knowledge that all excellent things must come to a close, we will not begrudge him his time to go home, to be with his lovely wife, Mike, and to contemplate with peace and pleasure the seasons' change in the rolling hills of Alabama.

My wife, Erma, and I join in these warm felicitations for HOWELL and his wife, Mike.

Nature's first green is gold.
Her hardest hue to hold.
Her early leaf's a flower;
But only so an hour.
Then leaf subsides to leaf.
So Eden sank to grief,
So dawn goes down to day.
Nothing gold can stay.

Mr. President, I yield the floor.