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STATEMENT OF CONGRESSMAN WILLIAM F. RYAN
ANNOUNCING PLANS TO BRING MISSISSIPPI CHALLENGE TO HOUSE FLOOR
ON SEPTEMBER 21st.

August 25, 1965

The statutory challenge to the seating of the Mississippi Congressmen is now pending before the House Administration Committee. This challenge is based on the deliberate and unconstitutional disenfranchisement of American citizens in the 1964 Congressional elections in Mississippi. We are determined that the House have the opportunity to confront this vital issue during this session of Congress.

We therefore plan, under the rules and precedents of the House, to bring to the Floor on September 21st a privileged resolution discharging the House Administration Committee from further consideration of the challenge and declaring the contested seats vacant, unless the Committee reports to the House before then.

We are convinced that Members of the House should have the opportunity to vote on this challenge before the session adjourns. That is clearly the intent of Rule XI, Section 24 of the Rules of the House, which states:

The Committee on House Administration shall make a final report to the House in all contested election cases not later than six months from the first day of the first regular session of the Congress to which the contestee is elected except in a contest from the Territory of Alaska, in which case the time shall not exceed nine months.

The six-month time limit expired on July 4th, yet the matter has not yet come before the House.

There has been great delay.

In complying with the statute governing the challenge (Title 2, U.S.C. Section 201 et seq.), the contestants obtained over 600 depositions supporting their case. These depositions were filed with the Clerk of the House on May 17. The Clerk promised to print the depositions as required by the statute, then reversed his position. It was not until July 29 that the Clerk transmitted the printed record to the Speaker who then referred the record of the challenge to the Committee on House Administration.

During the delay in printing the record, the contestants filed their briefs, pursuant to the statute. These briefs were filed on June 28, and copies were served on that date on the contestees. In spite of this fact, the Clerk has taken the position that the contestees' brief does not have to be filed until September 1st.

Despite the delay in printing, the challenge has been before the Committee since July 29th. To date, the Committee and its subcommittee on Elections have not scheduled a single meeting on the challenge.

The facts supporting the challenge are clear. There is no substantive reason for further delay. There is no question that in the 1964 Congressional elections a substantial number of American citizens were denied the right to vote in Mississippi because of their color. This unconstitutional denial of the right to vote has been accomplished by a deliberate policy of intimidation, harassment, and terror, and even murder.

Mississippi's deliberate policy of disenfranchisement has been overwhelmingly documented. The United States Department of Justice has lawsuits in no less than 30 of the 82 Mississippi counties. The Civil Rights Commission has issued reports concerning the terror tactics used to stop Negroes from voting in Mississippi. There have been at least five murders since 1961 directly connected with the effort to register Negroes. In fact, just this week a minister was critically wounded because of his involvement with voter registration. In addition, the thousands of pages of depositions filed in support of the challenge constitute a vivid record of the almost unbelievable brutality perpetrated against Negroes who try to exercise their basic constitutional right to vote. Never before has any issue been so thoroughly documented prior to action by the House.

The current challenges, moreover, do not present new and untested questions to the House. They are thoroughly supported by a long line of precedents. In over 40 election contests in the past, the House has set aside election results where Negro citizens were excluded from the polls.

This challenge involves more than the immediate question of unseating the Mississippi Congressmen. It is a testament of courage and a declaration of determination on the part of many Negro citizens. By bringing this challenge they affirm their belief that ultimately, through the orderly process of law, the United States Constitution will be upheld. The members of the House must be given the opportunity to prove that they are right.

On the opening day of Congress, 149 Members of the House voted against administering the oath to the Mississippi Congressional delegation. What has since been revealed only confirms the judgment that Mississippi has trampled upon the United States Constitution by denying American citizens the right to vote.

We cannot condone the election of United States Representatives who gained their seats through an unconstitutional election. There are those who risked their lives to present this challenge to the House in order that we may exercise our solemn obligation to the Constitution of the United States. On September 21 we are determined that the House will have that opportunity.

* * * *

The following Members of Congress have agreed to support the resolution of September 21st discharging the House Administration Committee from further consideration of the Mississippi Challenge and declaring the contested seats vacant:

<u>Name</u>	<u>State</u>	<u>District</u>
Phillip Burton	California	5th
John Brademas	Indiana	3rd
George E. Brown, Jr.	California	29th
Jeffery Cohelan	California	7th
John Conyers, Jr.	Michigan	1st
Ken W. Dyal	California	33rd
Emilio Q. Daddario	Connecticut	1st
Charles Diggs, Jr.	Michigan	13th
John G. Dow	New York	27th
E. Donlon Edwards	California	9th
Leonard Farbstein	New York	19th
Donald M. Fraser	Minnesota	5th
Jacob H. Gilbert	New York	22nd
Seymour Halpern	New York	6th
Augustus P. Hawkins	California	21st
Charles S. Joelson	New Jersey	8th
Paul Krebs	New Jersey	12th
Joseph G. Minish	New Jersey	11th
Patsy T. Mink	Hawaii	At Large
Robert N.C. Nix	Pennsylvania	2nd
Adam Clayton Powell	New York	18th
John A. Race	Wisconsin	6th
Ogden R. Reid	New York	26th
Joseph Y. Resnick	New York	28th
James Roosevelt	California	26th
Benjamin S. Rosenthal	New York	8th
William F. Ryan	New York	19th
James H. Scheuer	New York	21st
Charles A. Vanik	Ohio	21st
Weston E. Vivian	Michigan	2nd
Lester C. Wolff	New York	3rd