

Final House Action

After some skirmishing, Rules Committee Chairman Howard W. Smith (D Va.) June 24 reluctantly scheduled a committee meeting to clear the civil rights bill for final House action. When the bill reached the House June 22, Rep. Celler had moved that it be taken from the Speaker's desk and approved by the House -- a motion that needed unanimous consent of House Members. Several Southerners quickly voiced objections.

Celler immediately filed a resolution (H Res 789) providing for House approval of the Senate-amended bill after one hour of debate. Under House rules, the resolution was referred to the Rules Committee. Three members of the Committee promptly requested a meeting in a letter to Smith and a copy to the committee clerk. The letter was signed by Reps. Ray J. Madden (D Ind.), B.F. Sisk (D Calif.) and John Young (D Texas).

Under the Committee's rules, three members may petition the chairman for a meeting. If the chairman does not, within three legislative days, schedule a meeting for within seven days after he received the letter, a majority may call the meeting despite him. Smith chose the latest possible date, June 30, for the meeting.

RULES COMMITTEE ACTION

H Res 789 was cleared for floor consideration by the House Rules Committee June 30, after a bipartisan coalition wrested control of the Committee and the resolution from Chairman Smith and the Southern Democrats supporting him.

The Committee vote to clear the resolution was 10-5. One GOP member, Rep. H. Allen Smith (R Calif.), joined four Southern Democrats in voting against clearance. The four Southerners were Smith, William M. Colmer (D Miss.), James W. Trimble (D Ark.) and Carl Elliott (D Ala.).

The process of taking control from Smith began with a motion by Ray J. Madden (D Ind.) to end the Committee's hearings and discussion at 5:00 p.m. Smith said that the motion was out of order because the Committee was not in executive session. The Committee then voted to go into executive session 6-4, and adopted Madden's motion 7-4. On the Madden motion, Rep. David T. Martin (R Neb.), a new member of the Committee, voted with three Southerners in opposition.

After beating down Southern motions to give the resolution more than one hour of floor debate, the Committee then voted 8-5 to have Madden handle the resolution, rather than Smith. Whoever handled the resolution could have delayed House consideration of it for up to 10 days, and Smith had warned Speaker John W. McCormack (D Mass.) of his "enthusiastic and complete lack of cooperation" in moving the bill. House leaders and President Johnson wanted the bill on the President's desk before July 4.

Smith called the Committee's action "an outrageous violation of orderly and proper legislative procedures."

During the Committee's one-day hearing, Reps. Celler and McCulloch said that the bill had not been weakened in the Senate. Rep. William C. Cramer (R Fla.), on the other hand, said that the Senate bill "is a stronger bill" than the one passed by the House, which he had voted against.

Speaking to the House June 30, Rep. Colmer chided Republicans for failing to follow Goldwater's leadership in making "an issue of conservatism and liberalism. Do

you really believe that this legislative rape of the Constitution is going to be as popular in November as it was in June?" Colmer asked.

HOUSE APPROVES SENATE BILL

The House cleared HR 7152 for the President's signature July 2 when it adopted, by a 289-126 roll-call vote, the resolution (H Res 789) to approve the bill as amended by the Senate.

Voting to approve the Senate-amended bill after the allotted hour of debate were 153 Democrats and 136 Republicans; voting against it were 35 Republicans and 91 Democrats, 88 of them Southerners. There had been predictions of sizable slippage in support of the bill this time around. One factor in these predictions was the strong stand taken against the bill by Sen. Goldwater.

There were, however, only three Representatives who switched their positions from one of approval in February to one of disapproval of the final bill; and three Members switched their positions from one of disapproval in February to approval in July.

Changing their positions from one of opposition to approval were Reps. Edward L. Hutchinson (R Mich.), John J. Rhodes (R Ariz.) and Charles L. Weltner (D Ga.).

Those who changed from approving the bill in February to disapproving it in July were Reps. Charlotte Reid (R Ill.), Bob Wilson (R Calif.) and Earl Wilson (R Ind.). Mrs. Reid and Earl Wilson were among the 54 House Republicans who June 17 signed a statement backing Goldwater's candidacy for Presidential nominee. Bob Wilson was chairman of the National Republican Congressional Committee. Of the 54 Goldwater supporters, 28 supported final approval of the bill, and 25 opposed it (11 of these were Southerners). One paired against approval.

Rhodes, who changed his position to one of approval, was also one of the Goldwater supporters.

Before casting his vote, Weltner, who represented Atlanta, said that Southerners had the choice of voting "no," "with tradition, safety -- and futility." However, he said, "I believe a greater cause can be served. Change, swift and certain, is upon us, and we in the South face some difficult decisions. We can offer resistance and defiance, with their harvest of strife and tumult. We can suffer continued demonstrations, with their wake of violence and disorder. Or, we can acknowledge this measure as the law of the land. We can accept the verdict of the nation. Already the responsible elements of my community are counseling this latter course," Weltner said, "and, most assuredly, moderation, tranquility, and orderly processes combine as a cause greater than mere conformity." "I will add my voice to those who seek reasoned and conciliatory adjustment to a new reality," Weltner concluded, "and, finally, I would urge that we at home now move on to the unfinished task of building a new South. We must not remain forever bound to another lost cause."

Rules Committee Chairman Smith said H Res 789 provided too little time to discuss a bill containing provisions "unmatched in harshness and brutality...since the tragic days of Reconstruction."

"Already the second invasion of the Southland has begun," Smith said. "Hordes of beatniks, misfits and agitators from the North, with the admitted aid of the Communists, are streaming into the Southland mischief-bent, backed and defended by other hordes of federal marshals, federal agents and federal power."

(Continued on next page)

Final 1964 Action - 2

Rep. Richard H. Poff (R Va.) said that the Senate amendments had "greatly expanded the quantum and the power" given the Attorney General, and that Members who had supported the bill before were now justified in opposing it.

Rep. William M. McCulloch (R Ohio) said the bill had been "tempered and softened by the sober judgment of the men of the other body."

Rep. Emanuel Celler (D N.Y.), chairman of the Judiciary Committee, giving the final speech before the vote, said that it was his "fervent hope" that the entire U.S. should work "with patience and harmony" to carry out the bill. He said that acceptance of the Senate bill was "a reasonable price to pay" to avoid a conference, which might arouse new controversies.

President Signs Bill

President Johnson signed the civil rights bill into law (PL 88-352) July 2, only a few hours after it had been finally approved and sent to him by the House.

The signing ceremony was broadcast on nationwide television at 6:45 p.m. from the East Room of the White House. In attendance were Members of the House and Senate, several Cabinet members, foreign ambassadors, and leaders of the civil rights movement.

"We believe all men have certain unalienable rights," said Mr. Johnson, "yet many Americans do not enjoy

those rights. We believe all men are entitled to the blessings of liberty. Yet millions are being deprived of those blessings -- not because of their own failures, but because of the color of their skin."

"The reasons are deeply imbedded in history and tradition and the nature of man. We can understand -- without rancor or hatred -- how this happened," said the President. "But it cannot continue."

"Our Constitution, the foundation of our republic," he said, "forbids it. The principles of our freedom forbid it. Morality forbids it. And the law I will sign tonight forbids it."

The President called on all Americans "to join in this effort to bring justice and hope to all our people -- and peace to our land." "Let us close the springs of racial poison," Mr. Johnson said.

HUMPHREY'S COORDINATING ROLE

President Johnson Dec. 10 announced that Vice President-elect Hubert H. Humphrey would coordinate the Federal Government's widespread civil rights functions. Making the announcement in a speech to the Urban League in Washington, the President said: "It is our task to carry forward nothing less than the full assimilation of more than 20 million Negroes into American life."

The President said that it would be Humphrey's task to avoid the "danger of duplication, overlap or unnecessary delay."

Southern Negro Voter Statistics by State

| STATE | Total Negro Voters as of 11/1/64 ¹ | Increase Since 4/1/62 | % of Eligible Negroes Registered | % of Eligible Whites Registered | % Negro of Total Registered | % Negro of Voting Age Population | Presidential Winner & Margin 1964 | Unregistered Negroes of Voting Age |
|--------------------|-----------------------------------------------|-----------------------|----------------------------------|---------------------------------|-----------------------------|----------------------------------|-----------------------------------|------------------------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| ALA. | 111,000 | 42,700 | 23.0 | 70.7 | 10.4 | 26.2 | BG 268,353 | 370,000 |
| ARK. ¹ | 105,000 | 36,000 | 54.4 | 71.7 | 14.6 | 18.4 | LBJ 70,933 | 88,000 |
| FLA. | 300,000 | 117,500 | 63.7 | 84.0 | 12.0 | 15.2 | LBJ 42,599 | 170,000 |
| GA. ² | 270,000 | 94,500 | 44.0 | 74.5 | 16.8 | 25.4 | BG 94,043 | 343,000 |
| LA. | 164,700 | 13,000 | 32.0 | 80.4 | 13.7 | 28.5 | BG 122,157 | 350,000 |
| MISS. | 28,500 | 4,500 | 6.7 | 70.1 | 5.2 | 36.0 | BG 303,910 | 394,000 |
| N.C. | 258,000 | 47,500 | 46.8 | 92.5 | 11.7 | 21.5 | LBJ 175,295 | 293,000 |
| S.C. | 144,000 | 53,100 | 38.8 | 78.5 | 17.0 | 29.3 | BG 93,348 | 227,000 |
| TENN. | 218,000 | 67,100 | 69.4 | 72.9 | 14.4 | 14.9 | LBJ 126,082 | 96,000 |
| TEXAS | 375,000 | 133,000 | 57.7 | 53.2 | 12.5 | 11.7 | LBJ 704,619 | 275,000 |
| VA. | 200,000 | 89,900 | 45.7 | 55.9 | 16.0 | 18.8 | LBJ 76,704 | 237,000 |
| TOTAL ¹ | 2,174,200 | 698,000 | 43.3 | 73.2 | 13.0 | 22.4 | LBJ 314,421 | 2,843,000 |

¹ Arkansas figures are as of Jan. 1, 1965.

² Voting age 18.

SOURCE: VOTER EDUCATION PROJECT OF THE SOUTHERN REGIONAL COUNCIL