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THE WHITE HOUSE
WASHINGTON

Dick Cheney

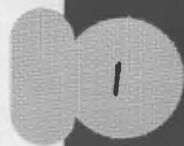
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Gerald R. Ford

[6(21/76)]

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CIVIL RIGHTS RECORD OF GERALD FORD

1949-1964

During his first fifteen years in Congress, Rep. Gerald R. Ford consistently supported Congressional civil rights efforts. He voted in favor of guaranteeing the voting rights of minorities by twice opposing the poll tax (1949, 1962), opposing literacy tests for those with a sixth grade education (1963), supporting court-appointed referees to guarantee voting rights (1960) and favoring additional enforcement powers against those trying to deprive others of their voting rights (1956, 1957, 1963, 1964). He repeatedly supported efforts to provide federal assistance to aid in school desegregation efforts (1956, 1963, 1964) and consistently favored the establishment, continuance and broadening of the Commission on Civil Rights (1956, 1957, 1963, 1964). He supported the 1963 Republican civil rights initiative aimed at securing voting rights, banning literacy tests, ensuring employment rights and school desegregation. Later he voted for the 1964 Civil Rights Act which covered voting rights, discrimination in public accommodations and facilities and school desegregation. During this period he also supported equal employment rights and opportunities in the form of a voluntary Fair Employment Practices Commission (1950, 1963) and equal pay for equal work by women (1963).

Equal Employment Opportunity

Rep. Gerald Ford has a solid record of favoring legislation to prevent job and hiring discrimination. Repeatedly voting for the establishment, broadening and strengthening of Commissions for this purpose, he has preferred court action to giving administrative agencies final power to enforce the protections against job discrimination. In 1950, Ford voted for the Fair Employment Practice Commission, in the form in which it was ultimately enacted, which was set up to formulate comprehensive plans for the elimination of job discrimination and to initiate and inves-

tigate complaints of discrimination. In 1964, he voted for the Civil Rights Act, Title VII of which outlawed many unfair employment practices based on race, color, religion, sex or national origin and created the Equal Employment Opportunity Commission (EEOC). When the 89th Congress attempted to broaden Title VII's coverage and strengthen it by the addition of cease and desist orders and other powers, Congressman Ford voted for passage of the legislation. In 1969, Ford argued vigorously on the Floor of the House against a Senate amendment which threatened the so-called "Philadelphia Plan" preventing discrimination against blacks in the construction industry. Two years later, in 1971 when renewed efforts were underway to broaden and strengthen the EEOC, Rep. Ford again voted to expand the Commission's powers; he supported the Erlenborn substitute as the best way to do this, arguing that giving EEOC cease and desist powers would deny both plaintiffs and defendants the protections they would receive in a court of law.

Voting Rights

Building on his earlier record of solid support for full voting rights for minorities, Rep. Gerald Ford took an active part in the passage of the Voting Rights Act of 1965. As Minority Leader, Ford led Republicans in pushing for a bill that would send Federal examiners to voting districts anywhere in the country where 25 or more persons complained they had been denied the right to register or vote because of race or color, provided for a court challenge of the constitutionality of the poll tax, banned literacy tests for those with a sixth-grade education and prevented future vote fraud in Federal elections. When this version of the voting rights bill did not carry, however, Ford voted for enactment of the alternative measure which applied only to Southern states. In this debate, he opposed a weakening amendment to allow termination of Federal registrar procedures where more than half the Negro population was registered to vote.

Almost five years later in 1969, a five-year extension of the Voting Rights Act was under consideration, and again Ford pushed for national rather than regional

coverage. This time, the House supported his position on the legislation, but the Senate sent back a compromise bill which included, in addition to voting rights, lowering the voting age to 18 and reducing the residency requirement in Presidential elections to 30 days. Although Ford preferred sending the bill to a House-Senate conference so that a Constitutional Amendment to lower the voting age could be considered as an alternative to the less certain legislative approach, he voted for final passage of the compromise measure.

Open Housing

Open housing provisions were contained in Title IV of the comprehensive civil rights bill debated in the House in 1966. Even before debate could begin, however, controversy arose over using the 21-day procedure to force the measure to the Floor. Rep. Ford opposed this move, arguing that the entire report had been available to the Rules Committee for only 16 days during which time the committee had acted on several other major bills. During subsequent debate, Ford voted against an amendment to weaken the open housing provisions by allowing real estate agents to discriminate on behalf of otherwise exempt owners. This bill died in the Senate and open housing legislation was not debated in the House again until 1968 when once more procedural questions were mixed with substantive ones. A strong open housing provision had been added by the Senate to the Civil Rights Act of 1966 Amendments although the House bill had omitted the question entirely. Ford supported sending the bill to conference to give the House an opportunity to contribute to the legislation, but when this move failed, he reiterated his earlier support of open housing legislation by voting for final passage.

School Desegregation

Over the years, Rep. Gerald Ford has voted and spoken in favor of measures aimed at ending discrimination and segregation in public schools, but he has not felt that forced busing of students to achieve racial balance was either a realistic or desirable means of accomplishing this purpose. As early as 1956, Ford voted for an amendment to a school construction bill prohibiting allotment of funds to states failing to comply with the 1954 Supreme Court decisions on school desegregation. In 1960, he voted for the Civil Rights Act which included a provision making obstruction of court orders for school desegregation a crime. The 1963 Republican civil rights initiative, supported by Ford, proposed authorizing federal aid to State and local educational agencies which request funds to desegregate public schools, and the next year the 1964 Civil Rights Act was passed with his support and included not only the Republican recommendations but, in addition, authorized the Attorney General to file suit for the desegregation of public schools and colleges. In 1970 he voted four times for a bill which provided \$1.5 billion to school districts with the problems of desegregation or overcoming racial imbalance, and when this legislation was renewed, he voted again in 1972 for a second bill with a similar purpose. However, in this debate as well as in recurring House action on educational appropriations, the issue was raised of barring the use of federal funds or federal pressure to force busing to overcome racial imbalance in schools, and Rep. Ford on over a dozen separate votes supported these measures.

1965

VOTING RIGHTS ACT OF 1965
(S.1564 - P.L. 80-110)

Bill suspended use of literacy tests or similar voter qualification devices and authorized the appointment of federal voting examiners to order registration of Negroes in states and counties where voting activity had fallen below certain levels, established criminal penalties for interference with voter rights, outlined a judicial recourse for delinquent state and local governments (3-judge federal district court in D.C. to determine that no racial discrimination in registration and voting practices had occurred for five years) and banned state and local poll taxes.

Issues:

1. Republican alternative---the Ford-McCulloch bill: Republicans tried to substitute H.R. 7896 for the Johnson Administration measure (HR6400). The Republican alternative provided a single trigger mechanism; HR6400 had two--the automatic trigger applied to areas of hard core discrimination, and a pocket trigger for other areas. Under the Republican bill, in any voting district in the country where 25 or more persons complain that they have been denied the right to register or vote on account of race or color, a Federal examiner is appointed. If the examiner finds the complaints are true, a pattern or practice of discrimination is presumed to exist in the voting district, and the Civil Service Commission is then directed to appoint examiners as needed to examine the qualifications of additional applicants and list those found qualified to vote. Also included a series of laws making fraudulent practices in Federal or partially Federal elections crimes against the United States.

ARGUMENTS FOR:

- Administration bill points a gun at the head of states when it should be pointed only at those who have violated the constitutional rights of individuals.
- Administration bill is such strong medicine it will kill the patient -- important federal-state relationships might be destroyed.
- Administration bill would affect some areas unfairly -- 14 States where there are literacy tests and more than 50% of the people still vote, Alaska.
- Under Administration bill, if only 51% of the people voted, federal action would not be triggered.

ARGUMENTS AGAINST:

- Southerners and those traditionally against civil rights legislation favor the Republican substitute (RODINO made this argument)
- Does not provide automatic coverage necessary to do the job.
- Fails to provide for complete suspension of tests and devices even in those areas where tests cannot be administered fairly.

-Would require existing judicial remedies to be used to eliminate further discrimination enactments -- such relief is inadequate.

-Does not abolish the poll tax, merely authorizes the Att'y Gen. to bring suit. (Ford: Committee provision will be challenged in courts & therefore will be slower to work.)

-Economic and physical reprisals, or fear thereof, would prevent 25 Negroes from registering complaints and triggering the provisions. (Ford answered: no public disclosure of who the 25 were).

-Requires Federal examiners to be residents of the State in which they are assigned -- in areas of high discrimination there may not be enough qualified nonbiased residents.

-States could circumvent intent via lengthy time lapses instituted between registration and voting - Republican bill requires compliance with State restrictions.

VOTES:

1. July 5, 1965 - rule making both Administration bill and Republican substitute in order. Adopted: 308 (116R, 192D) to 58 (9R, 49D). FORD: voted FOR.
2. July 9, 1965 - tellers on McCulloch motion to adopt HR 7896: Failed 166-215.
3. July 9, 1965 - motion to recommit with instructions to substitute text of HR 7896: Failed 171 (115R, 56D) to 248 (21R, 227 D). FORD: voted FOR.
2. Cramer amendment on vote-fraud - to provide criminal penalties for giving false information on voting eligibility status. Adopted 253 (136R, 117D) to 165 (OR, 165D). FORD voted FOR. 7/9/65
3. Boggs amendment to allow termination of Federal registrar procedure where more than half the Negro population was registered to vote. Rejected, 155 (18R, 137D) to 262 (118R, 144D). FORD voted AGAINST. 7/9/65 (
4. Gilbert amendment to allow people illiterate in English to vote if they have completed sixth grade in Spanish-language schools. Rejected 202 (10R, 192 D) to 216 (125R, 91D) FORD voted AGAINST. 7/9/65
5. PASSAGE. Passed 333(112R, 221D) to 85 (24R, 61D). FORD voted FOR. 7/9/65
6. Conference Report - motion to recommit with instructions to delete amendment allowing termination of Federal registrar procedure where more than half the voting-age Negro population registered to vote. (See #3 above)
FORD: comments that when this amendment was considered in committee and on the House Floor, opinion was expressed that this amendment would gut the bill.
A vote ~~to~~ recommit would sustain the House position and strengthen the legislation
Rejected: 118 (115R, 3D) to 284 (16 R, 268 D). FORD voted FOR. 8/3/65
7. Conference Report - passage. Adopted, 328 (111R, 217 D) to 74 (20R, 54D). FORD voted FOR. 8/3/65

...Chairman, I myself such time as I may require. Chairman, the chairman of the committee on the Judiciary is a great lawyer, a good lawyer. I think before his term has expired in justice to himself a justice to the Members of this body, he should describe those Supreme Court decisions that come from Louisiana and Mississippi.

I want to read just a few lines from the committee report so that they will be unmistakable in their exact wording and meaning. I am speaking about the Ford-Culloch bill, or the substitute, which we are offering. We say the bill's application of the test to those below the sixth grade standard presupposes a valid form of test which is being validly applied.

Existing provisions of law remain whereby the Attorney General may bring an action against the State to set aside a test either because it is invalid on its face or because it has been discriminatorily applied (*United States v. Mississippi*, 380 U.S. 128 (1965); *Louisiana v. United States*, 380 U.S. 145 (1965)).

The first of those cases was decided this year, Mr. Chairman, and the latter was decided in 1965.

Thus, in bringing immediate relief, the bill does not cast aside the present body of the law, the full effect of which has yet to be felt on the problems it was designed to remedy, in favor of new and untested schemes, such as the triggering device.

Mr. Chairman, I now yield such time as he may desire to the gentleman from Michigan. (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, the Constitution of the United States forthrightly guarantees to every American the right to vote. By implication if not directly the Constitution of the United States—I have a copy here—assumes that all elections will be honest, that there will be no fraudulent activity concerning the counting of the votes or the way in which elections are conducted. I believe, however, that the record is clear—it is perfectly true that there has been over the years discrimination in voting based on race and color. It is likewise true that there have been too many instances in this country where there have been fraudulent elections.

However, all Americans can say that in the last decade there has been a growing conscience so far as our fellow citizens are concerned. The American people in the past 10 years have determined that something must be done to eradicate discrimination based on race or color so far as the right to vote is concerned. On the other hand, the American people have been equally concerned about dishonest elections.

This is typical of our people. They believe in honesty. They believe in equity. They have a high moral standard.

As a consequence, in this last decade Congress has taken steps, legislative steps, three times, to meet the problem which existed in this country.

We had the Civil Rights Act of 1957. We had the Civil Rights Act of 1960. We had additional legislation in 1964. I believe it was the feeling on each occasion

that a substantial step forward had been taken. On the other hand, most of those who believed that the legislation was sound realized that new laws will not always solve the problem, that adequate and strong action in the executive branch of the Government would not necessarily solve the problem.

Good will among our people in every State is a major ingredient to insure that everybody has the right to register and to vote, that there will be no discrimination in voting based on race or color.

Most Americans would agree that it takes in large measure the conscience of America to determine that there be honesty in our elections, that fraud not exist in the counting of those votes which have been cast.

So looking at this problem today in its broadest context—the achievement of good legislation and the achievement of good will in every one of our States—it seems to me that the McCulloch substitute is by far the best vehicle.

It is broad in application. It will apply without discrimination to every voting district in every State. No area of our country will be left out as far as this legislative tool is concerned. It is not exposed to fact in its application. It looks prospectively at the problem, and this is the way this legislative body today should look at this problem, or at any other problem.

The McCulloch substitute does not downgrade a State or a smaller governmental body in a State to the problem of coming to the Nation's Capital and putting itself at the foot of the Federal judiciary in the District of Columbia. The McCulloch substitute does not, as the gentleman from Ohio has so well stated, plant the seeds for elections being decided by people who are unqualified to vote.

In contrast, the committee bill, as I see it, has many reasons why it does not match up to the qualifications of the McCulloch substitute. The committee bill is harsh in its application. The gentleman from New York, the distinguished chairman of the Committee on the Judiciary, conceded that it is harsh in its application. On the other hand, it is a patchwork job. In my judgment it is ill conceived. It is a combination of some new ideas that could not stand on their own. If any one of these new ideas, new provisions, came to the floor of this body on their own, they could not receive approval by the committee.

Also on the other hand, the committee bill picks up, in effect, provisions that are in existing law, with some minor modification, to try to give the committee bill a broader application. It is fair to state that the original proposal that was sponsored by the Democratic administration, which I assume was the bill introduced on March 17, 1965, by the distinguished chairman of the committee, in effect has been abandoned by everybody. It has 11 pages. The committee majority, abandoning the recommendations from the administration, has added 17 or 18 new pages. Their action wiped out the original proposal.

They were wise because the original bill introduced by the distinguished chairman of the committee was ex-

tremely limited in its application. The automatic triggering device, as we all know applied only to six or seven States—no more. It ignored those areas of discrimination based on race or color in all of the other States.

The original recommendation from the White House did nothing, about honest elections. The committee bill does not effectively tackle this problem.

The original recommendation from the Democratic administration did nothing about the poll tax, the problem that bothers so many today.

Now to bolster this inadequate, discriminatory, unfair approach, we now have a revised H.R. 6400. What did they do, really, to bolster it? They took the 1960 and the 1964 legislation; they merely added the triggering devices that are already law, triggering devices which could be used today by the executive branch of the Government if it really wanted to do the job that it contends must be done.

The revised H.R. 6400 contains the basic deficiency mentioned so ably pointed out by the gentleman from Ohio [Mr. McCulloch]. It is almost unthinkable that this provision would be contained in any proposal submitted to this body. Let me read for a moment from the testimony that was given before the committee.

The chairman of this distinguished committee was asking the Attorney General questions before the Committee on the Judiciary. The chairman said:

In other words, the vote could be counted though it may be found later that he did not have the right to vote?

Mr. KATZENBACH. Yes, that is true.

It is unthinkable that such a provision would be in a bill before this body. I am glad to say that the McCulloch substitute does not contain such a provision.

So, in conclusion, concerning the committee bill, let me say again, it is a patchwork combination of many provisions, some old ideas that could be used today, I repeat today, by the executive branch of the Government, some new ideas that cannot stand on their own merit, and some new provisions that are really unthinkable.

So I most sincerely hope we make a change in the Committee of the Whole today and substitute the McCulloch proposal.

First let me say a word concerning the author of the McCulloch substitute. Without hesitation or qualification I am honored to be associated with the gentleman from Ohio in the sponsorship of this proposal. He is an eminent and successful lawyer. He has been and always will be a staunch supporter of sound, constructive, civil rights legislation. It is most unfortunate that some of the people he has helped over the years, some of the organizations that he has supported, are now casting indirectly if not directly adverse reflection on him because of his coauthorship of this legislation. I want the Members of this body to know that there is no better champion of civil rights and voting rights legislation than the gentleman from Ohio. Shame on those who are critical of him in this controversy.

The McCulloch substitute approaches this problem constructively. It is broad in its coverage. It is applicable to every State and every political subdivision of a State. It provides for expeditious handling of bona fide contentions on the part of people that they have been discriminated against in registration and voting because of race or color.

Some people have raised the question that it would be difficult to get 25 people to sign a petition that they have been discriminated against on the right to vote because of race or color. Let me make this crystal clear. Under the McCulloch substitute 25 people submit their petition to the Attorney General. There is no public disclosure of the petitioners at this time. As a result, there is no opportunity for coercion or intimidation. I must say that some of the people who have been critical of the McCulloch substitute in effect are nipping and thereby being critical of a man who has stood in the well of this House and defended the cause of civil rights, not last year alone, but every time over the last 10 years that this basic issue has been before us.

The McCulloch substitute attacks directly and forcefully the problem of honest elections. If the McCulloch substitute is approved the Attorney General will have the tool to prevent fraudulent elections. The committee bill ducks the issue thereby condoning dishonest elections.

Let me say a word or two about the poll tax provision that is in the McCulloch bill. It is precisely what the Attorney General of the United States in this Democratic administration recommended in 1965. I suspect it was drafted by him. He is the author and the sponsor. It is the provision that was approved in the other body. It will provide an expeditious consideration by the Federal courts of this country as to whether or not poll taxes in State and local elections are unconstitutional.

Let me couple the last statement with this comment. The poll tax provision in the committee bill will be challenged in the courts. There will not be as quick a resolution of the problem of poll taxes under the committee bill as there will be under the McCulloch substitute.

Both will be litigated. I venture to say that the Supreme Court of this land would come to a quicker decision on this basic issue under the McCulloch substitute than it would under the committee provision.

I want everybody on both sides of the aisle to know crystal clear, and others, too, I do not believe in a poll tax for any election. I am in full accord that we should do anything and everything we can to bring about expeditious consideration and determination of the constitutionality of poll taxes in State and local elections. But it is my honest judgment from reading both provisions that the provision in the McCulloch substitute will bring about a more expeditious determination of the issue. I think those who contend the other is better are in effect drawing a red herring across the path.

Mr. Chairman, as I conclude, let me add this one comment: All of us, Dem-

ocrats and Republicans alike, recognize there has been discrimination in registration and voting because of race or color. We recognize there have been dishonest elections, we recognize there must be new tools given to solve both problems. It is my honest judgment—and I say this as forthrightly and as unqualifiedly as I can—the McCulloch substitute is a sound legislative proposal; it will be the best vehicle to accomplish those objectives which all Americans seek to achieve.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to our distinguished majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, first of all let me say that I am sure Members of the House share the opinion of the distinguished minority leader that under the Constitution all citizens are entitled to vote. I think we also all share the view that in some areas many citizens are not allowed to vote. If we did not share these convictions we would not be here today.

I rise to oppose this substitute because I do not believe the substitute approach is on the right track. If those who advocate this proposal are successful it seems to me that their efforts will seriously complicate the problem of resolving this matter within a reasonable period of time.

Mr. Chairman, one of the greatest Americans of all time said:

If we could know where we are, and whither we are tending, we could better know what to do and how to do it.

Where are we in the 89th session of the 89th Congress in the consideration and in the advancement of voting rights legislation? The Senate has passed a bill and, while the Senate bill is more restrictive than the Celler amendment, it has the same running gears. It will be infinitely simpler and more effective to weld to those running gears the provisions of the Celler bill than to try to weld to it the provisions of the Ford-McCulloch substitute, a bill which approaches this problem from an entirely different direction from that which is contained in the already passed Senate bill.

This it seems to me is a very practical reason for opposing the substitute at this time. But, Mr. Chairman, my principal objection to this substitute is that I do not believe it will do the job that we are here trying to do. Both the bill, H.R. 6400, and the Ford-McCulloch substitute are concerned with the abuses in the administration of literacy tests. But there is a fundamental difference in the way in which these abuses are to be remedied under these two bills. The bill reported out by the committee simply suspends literacy tests and similar devices and does not permit them to be applied by anyone in areas where under the formula of the bill discrimination is deemed to exist. This suspension continues until it is shown that the discrimination has ended. This, I submit, is a reasonable yet effective method of dealing with the problem.

The Ford-McCulloch substitute, on the other hand, does not provide for the sus-

pension of literacy tests at all. The substitute bill merely directs that in certain areas tests and devices need not be complied with if the applicant for registration has a sixth-grade education. But what about those who do not have a sixth-grade education? What will be the effect of this provision upon this group?

In the places which would primarily be affected by the Voting Rights Act of 1965 almost all white citizens of voting age, whether literate or not, whether educated or not, have been permanently registered. Their names are already on the books. Most of them have never been subjected to any sort of literacy test. Thousands of them have never completed the sixth grade. Under this substitute all of these persons would, of course, remain registered to vote. At the same time Negroes who did not complete the sixth grade could never become registered without passing complicated and often discriminatory literacy tests. In other words, insofar as persons with less than a sixth-grade education are concerned, the Ford-McCulloch substitute bill permits—indeed contemplates—no effective relief against the effects of past racial discrimination.

This is not the end of the matter. The substitute insures that the disparity in testing Negroes and whites will continue to exist for the foreseeable future. While Negroes would be tested by Federal examiners on the completion of six grades or the ability to pass the State literacy test, whites would be applying to the State registrar who, no doubt, would simply continue to qualify all comers, provided they are white. There will be no equality in the franchise. Instead there will be a built-in perpetuation of discrimination as between voters who do not have a sixth-grade education.

Now a word about the poll tax. The distinguished minority leader contends we will reach a decision—a judicial determination—on the constitutionality of the poll tax question sooner under the McCulloch substitute. The point here as I see it, is that under the committee bill we will not only reach a decision of the constitutionality of the poll tax under the 15th amendment, but the court will have placed before it also the other important issue—whether the Congress of the United States has the authority under the Constitution to outlaw the poll tax.

It seems to me that is a very vital and important distinction between the two bills.

Mr. Chairman, I do not blame those who oppose any legislation in this area for supporting the Ford-McCulloch substitute. Some of them have labeled it the lesser of two evils. To those who feel that the time to eliminate discrimination in voting is at hand, that is hardly an acceptable alternative. It is certainly not an acceptable reason. No one can legitimately defend the practices which have come to our attention and which are matters of common knowledge across the land. We must put an end to these practices effective and decisively.

CIVIL RIGHTS ACT OF 1966
 HR 14765)

Synopsis:

- Title IV - Open Housing
- Title I & II - nondiscriminatory selection of federal and state jurors
- Title III - authorized Att'y Gen. to initiate desegregation suits re: public schools and accommodations
- Title V - protected civil rights workers
- Title III (House version) authorized Att'y Gen. to bring suits to prevent deprivation of a person's rights.

Issues:

1. Open Housing - Mathias Amendment

BACKGROUND: Original Administration bill's Title IV prohibited racial and religious discrimination whether by owners, brokers, developers or their agents, in the sale or rental of all housing. House Judiciary Committee adopted Mathias amd'ts which exempted owner-occupied one-to-four family houses offered for sale or rental by the owner.

During Floor debate, Mathias offered an addition amendment, to clarify his original purpose, which would permit a real estate agent to discriminate on behalf of an otherwise exempt owner if the agent had the owner's "express written consent" to do so and the instruction was not solicited by the agent.

ARGUMENTS AGAINST MATHIAS AMENDMENT:

- without the amendment, Title IV might be stricken from the bill (Southern Democrats, conservative Republicans)
- amendment legitimizes discrimination and puts it on the statute books
- Ford, Conyers voted AGAINST

ARGUMENTS FOR MATHIAS AMENDMENT:

- Amendment will permit Title IV to remain in the bill, otherwise would be killed entirely
- Title IV is unconstitutional: does not really affect interstate commerce as purported, reliance on 14th Amdt groundless since 14th Amdt is directed at the state and not the actions of a private citizen.
- Bill contained certain ambiguities regarding discrimination by real-estate agents which the amendment would resolve, i.e. could agents covered by Title IV carry out the wishes of owners who were exempt from Title IV provisions.
- President could assume responsibility for eliminating housing discrimination via Executive Order.
- The amendment opened doors, but without infringing on personal liberty.
- Supporters of amendment: House Democrat leaders, Johnson Administration, (Republican Policy Committee statement August 1 in opposition to Title IV). Rodino, Brooks, Donohue, Hungate voted FOR.

OTHER STATEMENTS:

- Celler (read on Floor by Rodino): "I have learned that the all-or-nothing attitude produces nothing except a slogan. We have always the vision of human perfectibility before us, and mankind has taken faltering step after faltering step toward it..."
- Poff: "any liberal who votes for the Mathias amendment will be indicted by the liberals for having gutted Title IV, and any conservative who votes for the amendment inevitably and ultimately will be indicted by conservatives for having made it possible for Title IV to carry."

VOTES:

- teller vote on Mathias amendment - a 179-179 tie broken by Bolling, who was presiding, to carry amendment 180-179. 8/3/66
- Mathias amendment - passed 237 (69R,168D) to 176 (69R,107D). FORD voted AGAINST. (See comments on page 1). 8/9/66
- *--Moore amendment to recommit with instructions to delete Title IV. Rejected 190 (86 R, 104D) to 222 (50 R, 172 D). FORD voted FOR. 8/9/66 (Rodino, Conyers, Kastenmeier, Brooks, Donohue voted AGAINST, Hungate voted FOR)

2. Adoption of the Rule

H.Res. 910 provided for consideration of HR 14765 and 10 hours of debate, and permitted amendments. H.Res 910, introduced by Celler, was considered under the 21-day rule.

ARGUMENTS AGAINST H RES 910:

- two major parts of the bill -- Title III and the Fair Housing Board under Title IV had not had hearings -- hearings which the Rules Committee could hold (Poff).
- Attempts have been made to create the false impression that the Republicans on the Rules Committee would not vote for the rule -- this is not true. The 21-day procedure is not necessary; the Republicans are not obstructing the bill. (Halleck)
- This is a misuse of the 21-day rule procedure -- not what it was intended for -- the final reports of the committee were not filed until July 14 (the debate occurred on July 25) even though the Committee had ordered the bill reported on June 30. (Sisk, FORD)
- The bill should be returned to committee so that the ambiguities of Title IV can be worked out before the entire House votes on the measure (Edmondson).
- Why put all the burden of consideration of this bill on the busy Congress and consume a week of time in the futile thing of putting everybody on the spot as to whether they are going to surrender further to the so-called revolution of the Negro race? (Smith)
- Resolution is an affront to the Rules Committee and to those who supported the enlargement of the committee a few years ago so that it would be more responsive and report civil rights legislation to the Floor. (Latta)

ARGUMENTS IN FAVOR OF H RES 910:

- vate against the Rule was a vote against the bill
- Smith probably would not grant a rule -- this was the only way to bring the measure to the Floor.

3. Whitener Amendment

Required written complaint by an affected person charging officials with discrimination before the Attorney General could institute suits to desegregate schools or other public facilities.

ARGUMENTS FOR:

--litigation in the name of the United States, and with the money of the United States, because some person has been deprived of or threatened with the deprivation of equal protection of the laws should be based on a complaint.

--Basic American right -- to face one's accuser. A written complaint would make this possible and would prevent the Attorney General from conducting a witch hunt.

--Title III of the Civil Rights Act of 1964 requires the Attorney General to have a complaint in writing -- so why is this provision less desirable in this measure.

ARGUMENTS AGAINST:

--Intent of the bill's original language was to place the responsibility directly on the Attorney General without first requiring a written complaint from the individual who may have been discriminated against.

--Also gives Attorney General right and authority to institute certain actions if he has reasonable grounds to believe that there has been a denial of equal protection of the law -- when he goes into court, he must be able to prove his case.

--The person filing the complaint might be subject to harassment.

VOTES:

Agreed to on division (99-75) and on tellers(132-104)

* Roll Call: amendment passed 214 (103R,111D) to 201 (35R, 166D). FORD voted FOR. (Conyers, Rodino, etc. voted against).

4. Other votes:

--Cramer "anti-riot" amendment -- Federal penalties for persons traveling in interstate or foreign commerce or using U.S. mails with intent to incite, promote or encourage riots. Passed 389 (138R, 251 D) to 25 (0 R, 25 D) FORD voted FOR.

field here which is fraught with the very gravest constitutional principles.

Should we not, gentlemen, under those circumstances, rather than adopting a short-circuit procedure, rather than jettisoning the normal legislative procedure, that govern our deliberations, make even more clear, under those circumstances just exactly what it is we are about to do?

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Michigan, the distinguished minority leader, 10 minutes for the purpose of debate.

Mr. GERALD R. FORD. Mr. Speaker, I strongly believe that the House should disapprove of this resolution. I believe we should vote against this resolution. I believe that because this is a misuse of the 21-day rule. It is a highly irregular manner for the consideration of this important legislation. Third, I do not believe that the Committee on Rules in the 89th Congress deserves this kind of treatment, bearing in mind the record made in 1965 at the time the voting rights legislation was before the committee.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, speaking as one who voted to expand the Rules Committee, I must say that I cannot support this rule today, because when I voted to expand the Rules Committee I never conceived that such an operation would be going on as is going on here today.

I believe the 21-day rule has a place in the Congress if the Rules Committee does not act, but in this particular case was not given the opportunity to do

Anything as important as this, it seems to me, deserves more careful consideration.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman from Ohio.

I think it appropriate for me to say in 1957, in 1960, in 1964, and in 1965, I voted for civil rights legislation.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to my friend from Oklahoma.

Mr. ALBERT. Mr. Speaker, I appreciate the gentleman yielding. I hate to take the gentleman's time, but the statement of my distinguished and beloved friend from Ohio just is not consistent with the facts. The Committee on Rules has had more than 21 days. It has had 2 weeks since we returned from the July 4 recess.

Mr. GERALD R. FORD. Mr. Speaker, I will say to my friend from Oklahoma, the distinguished majority leader, that I believe I will answer the question that has been raised.

I strongly feel that this resolution before us today is a misuse of that parliamentary procedure. On January 4, 1965, the first day that this body came together following the elections of 1964, the Speaker of the House, in discussing the 21-day rule, said the following in reference to this procedure:

It is a strengthening of the rules of the House in the direction of the individual Member having an opportunity to pass upon legislation that is being reported out of a

standing committee and which has been pending before the Committee on Rules for 21 days or more.

In my judgment, Mr. Speaker, this bill from the Committee on the Judiciary and its report, in effect, have not been pending before the Committee on Rules for 21 days. The crucial word is "pending." Let me explain.

In my hand I have H.R. 14765, which was reported on June 30, along with the 62-page report. This was submitted to the Committee on Rules on that day, and a request was made of the Committee on Rules for a rule.

But it took 15 more days before the additional and minority views of 18 members of the House Committee on the Judiciary—this 53-page report—were made available to the Committee on Rules. In effect, only half of the work of the Committee on the Judiciary was before the Committee on Rules until the 14th or 15th of July.

I believe it is fair to say that this vital material, a 53-page part of the report never got to the Committee on Rules for 14 or 15 days, and under those circumstances how can one argue that this matter was pending before the Committee on Rules for a 21-day period? At the most it was before the Committee on Rules for 5 days.

Therefore, Mr. Speaker, I believe the House ought to vote against this resolution. We should not condone a misuse, or irregular use of the 21-day rule.

May I also say that the Committee on Rules in the 89th Congress has a record that should not be condemned, but it is one that should be approved of, in the consideration of civil rights legislation.

Let me cite the record in 1965, when we had before us the voting rights legislation. On June 1, 1965, the Committee on the Judiciary reported the voting rights bill. On June 2 the distinguished chairman of the Committee on the Judiciary asked for a hearing before the Committee on Rules. Hearings were held on June 24, 29, 30, and July 1. And on July 1 a rule was granted. It came to the floor of the House July 6.

But also, let us look at what happened between the day that the rule was requested by the gentleman from New York [Mr. CELLER] and the date that the rule was granted. In this 30-day period the Committee on Rules approved 14 rules, including rules on military construction, on the debt limit, on the omnibus housing bill, on the poverty bill, on the Department of Housing and Urban Development, on the Cigarette Labeling Act, and on the Coinage Act. I do not believe we can honestly say that the Committee on Rules failed in its responsibility. It acted promptly in granting a rule to the Committee on Judiciary on the voting rights proposal.

I am proud to say that the Republican members acted responsibly in the consideration of and the approval of that rule in 1965, and I am certain that the Republican members of the Committee on Rules in 1965 will also act responsibly on this legislation.

Certainly this legislation, which has 18 minority or additional views, needs to be exposed for public examination. The

hearings conducted by the Committee on Rules can and will result in a better understanding of this crucial and critical legislation.

Let me say I am pleased to hear that the distinguished chairman of the Committee on Rules has promised every Member in this body on both sides of the aisle that if this rule is defeated today—and I hope it will be—immediately, promptly, hearings will be held before the Committee on Rules on this legislation. This means that the Committee on Rules can have before it both the original committee report and the 53-page additional and minority views.

That is the orderly, proper way for us to proceed on this difficult controversial legislation.

Mr. Speaker, I hope and trust that this resolution will be defeated. It is obviously a misuse of the 21-day rule. It is an irregular procedure. Third, I do not believe the Committee on Rules in 1966, bearing in mind the good record it made in 1965, deserves to be bypassed—deserves the abuse, either indirectly or directly, that will result from an approval of this resolution.

Mr. Speaker, I urge as strongly as I can, from one who has consistently supported civil rights legislation, that we vote down this resolution and hold those hearings before the Committee on Rules. In that way all of us will be better informed on the content of legislation that is extremely controversial and vital to all Americans.

The SPEAKER. The Chair will advise the persons in the gallery that they are guests of the House and no manifestations one way or another under the rules of the House can be evidenced by anyone who is a guest of the House.

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CELLER. Mr. Speaker, how much time remains?

The SPEAKER. The gentleman from New York [Mr. CELLER] has 3 minutes remaining.

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, on Monday, June 27—CONGRESSIONAL RECORD, page 14278—just several weeks ago, we voted a rule (H. Res. 875) by 222 to 148 to bring up under the 21-day rule (rule XI) a bill "revising postal rates on certain fourth-class mail," although it was pointed out—page 14281—by Mr. DERWINSKI that it involved no great social legislation.

Here we have one of the most important pieces of legislation to come before us this year. Can we do less in bringing it to the floor of this House? I shall vote "aye."

Mr. RYAN. Mr. Speaker, the achievement of equal rights for all our citizens is the major unfinished business before

Jefferson knew also that these principles would not become the policies and practices of an America which should burst full grown, like Minerva from the brow of Jove, from the Declaration of Independence. But Jefferson believed that those words would become the principles of the America which was to be; the America which should emerge from ensuing generations of Americans through bloody struggles, unremitting toils and dedicated sacrifices. But those words of equality were not idle or meaningless words. On the contrary they embodied in Jefferson's own immortal eloquence the promise and the challenge of the American dream.

And those words in that Declaration, "that to secure these rights governments are instituted among men," did not mean that Jefferson intended that the government aborning from this Declaration should have for its duty and function only the protection of the rights of citizens which existed at the time that government was formed. On the contrary, he contemplated that it should be the duty and the high purpose of that government to obtain additional rights to secure for the citizen ever a more perfect enjoyment of those rights which as a human being, a child of God, and an American, he was entitled to inherit and enjoy.

And so it has been for almost two centuries that that government which arose from Jefferson's Declaration, always tardily, sometimes faltering, but never failing, has continually stricken down laws, practices, and policies of discrimination against any American and approached nearer and nearer to Jefferson's goal of equality of rights and the enjoyment of such rights by all Americans.

The tragedy has been in the slowness of pace, at least until late years, which has characterized this struggle. It was nearly a hundred years and after a bloody war before the bonds of slavery were stricken from Negro Americans. It was nearly 150 years before women were emancipated to the full status of citizenship. It was nearly 175 years before Negro children were accorded equality of access to the public schools.

But, beginning with the administration of Franklin D. Roosevelt, the drive of the American Government for equal rights and equal opportunity for all Americans became more determined and the pace of progress toward this ancient aspiration rapidly accelerated. President Roosevelt set up a Fair Employment Practices Commission by Executive order to help win the war and to enable all men and women regardless of race, creed, or color to help gain the final victory.

President Truman sent to the Congress recommendations for the removal of many of the discriminations against our citizens on account of race, color, religion, or national origin. The fight for civil rights, for equal rights for all our people grew in momentum and in intensity in the Congress and throughout the country. America was awakening to the challenge and the necessity that every American be treated like an American.

The really exciting beginning of the dynamic program of the American Government and the American people to secure equality of rights for all Americans began with a decision of the U.S. Supreme Court in *Brown* against the Board of Education in 1954. Since 1954 the U.S. Supreme Court has decided in one way or another some 60 cases striking down discrimination against Americans on account of race, color, religion, or national origin in respect to voting, the enjoyment of public accommodations and facilities, access to educational institutions at all levels, housing, employment, the payment of a poll tax as a condition of voting, and other areas of activity.

Beginning with the administration of President Eisenhower, at least 12 Executive orders have been issued by Presidents removing discriminations against some Americans in respect to employment and housing. Beginning with 1957, the Congress has enacted four civil rights acts and the House has now by a great majority enacted a fifth and most meaningful one.

The bill we have been considering and have now enacted extends the protection of the fair and nondiscriminatory administration of justice to those who have previously been denied membership on grand juries and petit juries in many parts of America.

But the crowning glory of all civil rights legislation which the Congress has enacted is to be found, in my opinion, in title 4 of the act which we have just passed. This title provides that when a man goes into the marketplace to acquire a home—with all that a home means—the seat of the family altar, the sacred area where the family, the little unit blessed of God, stands together apart from the world to share its joys and sorrows large and small—that man's offer shall not be spurned nor fall upon deaf ears because of his race, color, religion, or national origin.

This is the American way—to establish the rights of men through law rather than through riots and violence. In this latest civil rights bill we have made this doubly clear by imposing severe penalties for those who would rob and pillage and assault under the cover of the struggle for human rights for all Americans.

However many challenges may lie ahead, how thrilling it is to see how far we have come, in spite of the long journey which has been involved, toward the realization of Jefferson's dream.

On July 4, 1826, John Adams lay upon his deathbed. He aroused himself to inquire if Thomas Jefferson were still alive. When informed that he was, this grand old patriot uttered his last words "Thank God, Jefferson still lives."

When we contemplate what the Government of our country has done in late years to insure equality of rights for every American and especially when we note the stirring significance of the measure the House has just passed, we, too, can say with a fervor comparable to that of old John Adams, "Thank God, Jefferson still lives."

The CHAIRMAN. The question recurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 14765) to assure nondiscrimination in Federal and State jury selection and service, to facilitate the desegregation of public education and other public facilities, to provide judicial relief against discriminatory housing practices, to prescribe penalties for certain acts of violence or intimidation, and for other purposes, pursuant to House Resolution 910, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. ROGERS of Colorado. Mr. Speaker, I demand a separate vote on the Whitener amendment to title VI as it appears on page 78, line 8.

The SPEAKER. Is any other separate vote demanded?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the Cramer substitute for the Ashmore amendment on page 77 of the bill.

The SPEAKER. Is any other separate vote demanded?

Mr. HAYS. Mr. Speaker, I demand a separate vote on the so-called Mathias amendment to title IV, which amends section 403 by adding a new subsection.

The SPEAKER. Is any further separate vote demanded?

There was no response.

Mr. GERALD R. FORD. Mr. Speaker, is it proper to suggest that the amendments be read where a separate vote has been demanded?

The SPEAKER. The Clerk will read the amendments upon which a separate vote has been demanded.

~~The Clerk will report the Mathias amendment.~~

The Clerk read as follows:

Amendment offered by Mr. MATHIAS: On page 65, after line 14, insert the following: "(e) Nothing in this section shall prohibit, or be construed to prohibit, a real estate broker, agent, or salesman, or employee or agent of any real estate broker, agent, or salesman from complying with the express written instruction of any person not in the business of building, developing, selling, renting, or leasing dwellings, or otherwise not subject to the prohibitions of this section pursuant to subsection (b) or (c) hereof, with respect to the sale, rental, or lease of a dwelling owned by such person, if such instruction was not encouraged, solicited, or induced by such broker, agent, or salesman, or any employee or agent thereof."

The SPEAKER. For what purpose does the gentleman from Ohio [Mr. HAYS] rise?

Mr. HAYS. Mr. Chairman, on that I demand the yeas and nays.

~~The yeas and nays were ordered.~~

The question was taken; and there were—yeas 237, nays 176, not voting 19, as follows:

[Roll No. 206] YEAS—237

- ir
ns
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Ashley
Ayres
Bandstra
Bates
Bell
Boiland
Bolling
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Broyhill, N.C.
Burke
Byrnes, Wis.
Cahill
Callan
Cameron
Carey
Cederberg
Celler
Clark
Cleveland
Clevenger
Collier
Conable
Conte
Corbett
Corman
Craley
Culver
Cunningham
Curtin
Curtis
Daddario
Dole
Davis, Wis.
Dawson
Delaney
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Ore.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Erlenborn
Evans, Colo.
Farnum
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel

- Fulton, Pa.
Fulton, Tenn.
Gallagher
Gialmo
Gibbons
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Ore.
Greigg
Grider
Griffiths
Grover
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Harvey, Mich.
Hathaway
Hechler
Helstoski
Hicks
Hollfield
Horton
Howard
Hutgate
Huot
Hutchinson
Irwin
Jacobs
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Karsten
Karth
Kee
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Kupferman
Leggett
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Mackie
Madden
Malliard
Martin, Mass.
Mathias
Matsunaga
Meeds
Miller
Minish
Minshall
Mize
Moeller
Monagan
Moorhead
Morgan
Morris
Morse

- Dickinson
Dole
Dorn
Dowdy
Downing
Edwards, Ala.
Everett
Evins, Tenn.
Fallon
Farbstein
Fisher
Flynt
Gerald R. Ford
Fountain
Fuqua
Garmatz
Gathings
Gettys
Gilbert
Green, Pa.
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Hansen, Idaho
Hardy
Harsha
Harvey, Ind.
Hays
Hébert
Henderson
Herlong
Hosmer
Hull
Ichord
Jarman
Jennings
Joelson
Jones, Ala.
Jones, Mo.
Jones, N.C.
Kastenmeier

- Kornegay
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McEwen
McMillan
MacGregor
Machen
Mackay
Mahon
Marsh
Martin, Ala.
Martin, Nebr.
Matthews
May
Michel
Mills
Mink
Moore
Morton
Natcher
Neisen
Nix
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Pelly
Poage
Pog
Pool
Purcell
Quile
Quillen
Race
Randall
Reid, N.Y.
Reinecke

- Rhodes, Ariz.
Rivers, S.O.
Roberts
Robison
Rogers, Fla.
Roncalio
Rosenthal
Ryan
Satterfield
Saylor
Scheuer
Scott
Secrest
Selden
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Va.
Stalbaum
Steed
Stephens
Stubbelfield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Trimble
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watts
Whitener
Whitten
Williams
Wilson, Bob
Wright
Wyatt
Younger

encouragement, or carrying on of, a riot or other violent civil disturbance; or
(2) commit any crime of violence, arson, bombing, or other act which is a felony or high misdemeanor under Federal or State law, in furtherance of, or during commission of, any act specified in paragraph (1); or
(3) assist, encourage, or instruct any person to commit or perform any act specified in paragraphs (1) and (2); and thereafter performs or attempts to perform any act specified in paragraphs (1), (2), and (3), shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

And renumber the following section accordingly.

The SPEAKER. For what purpose does the gentleman from Michigan [Mr. GERALD R. FORD] rise?

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 389, nays 25, not voting 18, as follows:

[Roll No. 207] YEAS—389

- Abbutt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Bandstra
Baring
Bates
Battin
Beckworth
Belcher
Bennett
Berry
Betts
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Chamberlain
Chief
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Collier
Colmer
Conable
Conte
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Denton
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan, Ore.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Gialmo
Gibbons
Gilligan
Goodell
Grabowski
Gray
Green, Ore.
Green, Pa.
Greigg
Grider
Craley
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hébert
Helstoski
Henderson
Herlong
Hicks
Hollfield
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Kupferman
Laird
Landrum

NOT VOTING—19

- Andrews, George W.
Blatnik
Dent
Edwards, Calif.
Edwards, La.
Hanna
Hawkins
Holland
King, N.Y.
Morrison
Murphy, N.Y.
Murray
Powell
Rogers, Tex.
Toll
Ullman
Van Deerlin
Willis
Young

So the amendment was agreed to. The Clerk announced the following pairs:

- On this vote:
Mr. Dent for, with Mr. Willis against.
Mr. Holland for, with Mr. George W. Andrews against.
Mr. Blatnik for, with Mr. Edwards of Louisiana against.
Mr. Murphy of New York for, with Mr. Rogers of Texas against.

Until further notice:
Mr. Hanna with Mr. Hawkins.
Mr. Edwards of California with Mr. Young.
Mr. Van Deerlin with Mr. Ullman.
Mr. Powell with Mr. Toll.

Mr. FARBSTEIN changed his vote from "yea" to "nay."

Messrs. WATSON, ROUDEBUSH, HAGEN of California, and GLENN ANDREWS changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will now report the so-called Cramer-Ashmore amendment to title V.

The Clerk read as follows:

Amendment offered by Mr. CRAMER as a substitute for the amendment offered by Mr. ASHMORE: On page 77, immediately after line 12, insert the following new section:

"PROTECTION OF RIGHTS

"Sec. 502. Whoever moves or travels in interstate or foreign commerce or uses any facility in interstate or foreign commerce, including the mail, with intent to—

(1) incite, promote, encourage, or carry on, or facilitate the incitement, promotion,

—NAYS—176

- Abbutt
Abernethy
Anderson, Ill.
Arends
Ashbrook
Ashmore
Aspinall
Baring
Barrett
Battin
Beckworth
Belcher
Bennett
Bryant
Casey
Chamberlain
Chief
Clancy
Clausen, Don H.
Clawson, Del
Cohelan
Colmer
Cooley
Cramer
Davis, Ga.
de la Garza
Derwinski
Devine
Bingham
Boggs
Bolton
Bow
Brock
Broyhill, Va.
Buchanan
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Callaway
Carter
Casey

1965

DC HOME RULE BILL

Background: DC Committee refused to hold hearings. Multer introduced discharge petition and Johnson Administration urged Members to sign it in order to bring Administration bill (HR 4644) to the Floor. (Signed by 192 D, 26 R). When discharge petition was one vote short, DC Committee reported a weak home-rule bill, HR10115 (Sisk). Multer offered compromise bill, HR11218, based on Senate-passed bill with several changes.

House approved Sisk bill: a "smashing defeat" for prospects of home rule and for the Administration.

Republican Policy Committee statement on bill: favored home rule if:

- US retains jurisdiction over federal property in DC
- local government in DC should be nonpartisan
- Hatch Act should be retained
- employee rights and benefits of 28,000 DC employees must not be forfeited
- federal gov't should continue to assist DC with revenue, but with Congressional control and supervision retained.

Ford did not sign discharge petition.

Floor statement: September 27, 1965: has reservations about committee's legislation, but it does provide an opportunity to consider DC home rule on the next district day Oct 11. Favors home rule, but hopes that the recommendations of the Policy Committee are included in any bill that is passed.

VOTE: motion to discharge the Rules Committee from further consideration of open rule for consideration of HR4644..Adopted 213 (31 R, 182 D) to 183 (96 R, 87D) FORD voted AGAINST.

VOTE: open rule for consideration of legislation and substitution of S.1118, with House-passed language. Adopted 223 (35R, 188D) to 179 (95R, 84D). FORD voted AGAINST.

VOTE: Multer motion that House resolve itself into Committee of the Whole House ...for consideration of the legislation. Adopted 234 (46R, 188D) to 155 (80R, 75D). FORD voted FOR.

Floor statement: September 29, 1965: endorsing the Nelsen-Bell amendment which makes elections in DC nonpartisan, except the election of the delegate.

VOTE: motion to accept the recommendation of the Committee of the Whole to strike the enacting clause, thereby killing the bill. Rejected 179 (93R, 86D) to 219 (34 R, 185D). FORD voted AGAINST.

VOTE: Multer amendment as amended by the Sisk Amendment. Adopted 227 (105 R, 122 D) to 174 (23R, 151D). FORD voted AGAINST.

*VOTE: Motion to recommit HR 4644. Rejected 134 (62R, 72D) to 267 (66R, 201D). FORD voted FOR.

PASSAGE: passed 283 (86R, 197 D) to 117 (42 R, 75 D). FORD voted FOR.

1965 - 1966

EQUAL EMPLOYMENT OPPORTUNITY

H. R. 10065

Bill broadened and strengthened Title VII of the 1964 Civil Rights Act which prohibited employment discrimination, empowered EEOC to initiate charges of unlawful discrimination, issue cease and desist orders and order hiring or reinstatement, increased rate of expansion of EEOC to smaller companies and unions.

ARGUMENT FOR:

-supported by civil rights groups which believed lack of EEOC enforcement powers made 1964 law impotent against discrimination.

ARGUMENTS AGAINST:

-opposed by Southerners

-opposed by business because of fear of increased federal interference in operation of (small) businesses.

-Republican Policy Committee statement 4/26/66 : likened EEOC to the NLRB, saying it would diminish the role of states in unfair employment cases; saying there had been insufficient experience under Title VII which did not go into effect until July 2, 1965, that hearings had been inadequate and committee meetings on the bill hurried.

-would weaken State commissions - requirement that they be consulted with.

-technically, gives Commission authority to supersede or intervene in Equal Pay for Women Act procedures.

VOTES:

12 procedural votes on September 13, 1965 -- reading of the Journal, etc., adoption of the rule, motion to adjourn. No debate in 1965, however.

1966:

Debate and PASSAGE: April 27, 1966. Passed 300 (98R, 202D) to 93 (32R, 61D).
FORD voted FOR.

(Ford did not participate in debate.)

CIVIL RIGHTS

F A R D

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
1965		
137	Equal Employment Opportunity—procedural vote. September 13. Result: 226 Yeas (27 R, 199 D) to 126 Nays (92 R, 34 D).	<u>NV</u>
138	Equal Employment Opportunity—procedural vote. September 13. Result: 244 Yeas (36 R, 208 D) to 127 Nays (88 R, 39 D).	<u>NV</u>
139	Equal Employment Opportunity—procedural vote. September 13. Result: 256 Yeas (47 R, 209 D) to 124 Nays (81 R, 43 D).	<u>N</u>
140	Equal Employment Opportunity—procedural vote. September 13. Result: 255 Yeas (49 R, 206 D) to 121 Nays (76 R, 45 D).	<u>N</u>
141	Equal Employment Opportunity—House Journal Approval. September 13. Result: 138 Yeas (95 R, 43 D) to 244 (33 R, 211 D).	<u>Y</u>
142	Equal Employment Opportunity—House Journal Approval. September 13. Result: 257 Yeas (39 R, 218 D) to 126 (87 R, 39 D).	<u>N</u>
143	Equal Employment Opportunity—House Journal Approval. September 13. Result: 265 Yeas (49 R, 216 D) to 119 (78 R, 41 D).	<u>N</u>
144	Equal Employment Opportunity—Motion to adjourn. September 13. Result: 175 Yeas (105 R, 70 D) to 204 (23 R, 181 D).	<u>Y</u>
145	Equal Employment Opportunity (H.R. 10065). Vote on rule (H. Res. 506) for consideration of H.R. 10065. September 13. Result: Adopted, 259 (76 R, 183 D) to 121 (51 R, 70 D).	<u>Y</u>
146	Equal Employment Opportunity (H.R. 10065). Motion to table motion to reconsider adoption of H. Res. 506, the rule for consideration of H.R. 10065. September 13. Result: Motion to table adopted, 194 (8 R, 186 D) to 181 (118 R, 63 D).	<u>N</u>
147	Motion to adjourn. September 13. Result: Rejected, 174 (106 R, 68 D) to 202 (20 R, 182 D).	<u>Y</u>
148	Procedural vote. September 13. Result: Passed, 243 (36 R, 207 D) to 136 (88 R, 48 D).	<u>N</u>
170	D.C. Home Rule--elected mayor, city council, and non-voting Delegate to the House of Representatives (H.R. 4644). Motion to discharge the Committee on Rules from further consideration of H. Res. 515. the open rule for	<u>_____</u>

1966REORGANIZATION PLAN NO. 1

Transferred the Community Relations Service, which aids local communities by conciliating disputes involving racial discrimination from the Commerce Dept. to the Justice Dept.

*Resolution disapproving this transfer Rejected, 163 (109R,54D) to 220 (18R, 202D). FORD voted FOR.

REASONS FOR OBJECTING TO THE TRANSFER:

--Community Relations Service should be made an independent agency or transferred to HUD.

--1964 Civil Rights Act requires that the activities of the Community Relations Service shall be conducted in confidence and without publicity...

--the functions of conciliation and law enforcement are incompatible

--at the State level, the conciliation and enforcement agencies are separate

--moving the agency to the Justice Department might emphasize disputes that occur by emphasizing civil rights when in fact the questions might be much broader

--conciliation is being handled well by the Commerce Department.

ARGUMENTS IN FAVOR OF THE TRANSFER:

--Clarence Mitchell, of the NAACP, urges the transfer as did Martin Luther King.

--Justice Department has said it will increase agency's budget and staff.

--originally placed in the Commerce Department because it was expected to deal with public accommodations compliance, but has turned out to spend much more time on civil rights matters....more efficient to put agencies having similar functions together.

--28 states have agencies dealing with civil rights in which the enforcement and conciliations functions are combined.

Ford: did not participate in debate.

CIVIL RIGHTS ACT OF 1966 AMENDMENTS - penalties for interference with civil rights.

H R 2516

Bill was aimed at Southern violence against civil rights workers. The legislation sought to curb law violators who, under color of law, by force or threat of force, knowingly injure, intimidate, or interfere with any citizen because of race, color, religion or national origin while he is lawfully engaging, or seeking to engage in: 1) voting or qualifying to vote, campaigning as a candidate for elective office, acting as poll watcher, or any legally authorized election official, in any primary, special or general election; 2) enrolling in or attending public school or college; 3) participating in any program, benefit or activity provided or administered by the United States or any State or subdivision; 4) applying for or being employed by any private employer or agency of the United States or any State or subdivision thereof; 5) serving as a grand or petit juror in any court of the United States or of any State; 6) using any vehicle, terminal or facility of any common carrier by motor, rail, water, or air; 7) enjoying all advantages and facilities of any hotel, motel, inn, restaurant, or other public establishments which provide lodging to transient guests. This also applies to sports arenas, stadiums, or any other place of entertainment.

HOUSE DEBATE

In all, nine amendments were accepted, all on non-record votes, while five amendments were likewise rejected. Open-housing issue was not raised. FORD voted FOR final passage when bill passed 326 to 93. (8/16/67)

AGREEING TO SENATE AMENDMENTS - Open Housing.

The Senate passed HR 2516 on March 11, 1968 and added a strong open-housing provision which prohibited discrimination in the sale or rental of about 80 percent of all housing. The bill was returned to the House where Republicans were divided as to whether to accept the Senate amendments (Goodell, Anderson, McCulloch, Nixon, Rockefeller) or to send the bill to conference where House modifications could be added. Martin Luther King's assassination the week before added an emotional cast to the debate. The Rules Committee narrowly defeated (8-7) a vote to send the bill to conference when Anderson supported the Senate amendments. H. Res. ¹¹⁰⁰ as approved by the Rules Committee would approve the Senate amendments and send the bill to the President for signature.

ARGUMENTS AGAINST H RES 1100 AND FOR SENDING THE BILL TO CONFERENCE:

- House should not abandon the procedures whereby the collective judgment of the Members of the other body and of ourselves (House) will be the determining factor in what we finally approve -- the bill should go to conference (Ford).
- We may be rubberstamping some farreaching legislation that came from the other body. The House passed a 6-page bill; the Senate sent back a bill of some 50 pages. (Ford) Also, no House hearings had been held.
- The Senate deleted an important House provision which the House had insisted upon by a 2-to-1 vote. (Ford)
- "I favor the enactment of fair housing legislation and will vote for such legislation regardless of the parliamentary procedure determined by a majority of the Members... (Ford)
- Standard arguments against open housing.
- Violence of past year and past week have blackmailed Congress into support of this kind of legislation.

ARGUMENTS IN FAVOR OF H RES 1100 AND AGAINST SENDING THE BILL TO CONFERENCE:

--pro open-housing arguments

-- The 1966 bill had ample hearings and debate and it was not necessary to repeat them.

--There is no assurance that the Senate would act promptly or constructively on the open-housing measures -- it took them 7 months to enact the present measure.

VOTES:

Vote on the previous question on H.Res.1100 - if the motion were voted down, there would be an opportunity to send the legislation to conference. Previous question passed 229 (77 R, 152 D) to 195 (106 R, 89 D). FORD voted AGAINST.

Vote on final passage. Passed 250 (100 R, 150 D) to 172 (84 R, 88 D).

FORD voted FOR.

1969

SENATE RIDER TO KILL "PHILADELPHIA PLAN"
(H.R. 15209)

BACKGROUND: After passage of the Civil Rights Act of 1964, President Johnson issued an Executive Order to enforce its anti-job discrimination provisions. This 1965 Executive Order established that Federal contracts could be withheld, or terminated after they were awarded, if the Office of Federal Contract Compliance (OFCC) found a pattern of job discrimination by the employer.

The "Philadelphia plan" was adopted by the Nixon Administration under the authority of this Executive Order. The plan focuses specifically upon the construction industry, where blacks and other minorities are under-represented. Since most construction companies allow their unions to do the hiring, the "Philadelphia plan" particularly angered organized labor.

The "Philadelphia plan", in effect, says to the construction companies: "Change the hiring practices of your unions or face the loss of your Federal contracts." It further says: "As a general guideline, the OFCC will check to see how the number of blacks you hire matches up with the percentage of blacks in the geographical area where you do your hiring."

It was charged that this was Federal interference with collective bargaining. It was also charged that Title VII of the 1964 Civil Rights Act bars the Federal Government from establishing job quotas---and that the OFCC's "general guidelines" sound a lot like quotas.

The amendment at issue here was a Senate rider to a Supplementary Appropriations bill. It called upon the Comptroller General to decide whether the "Philadelphia plan" illegally established Federal job quotas.

ARGUMENTS AGAINST THE SENATE RIDER:

--Standard equal opportunity arguments

--Evidence of substantial under-representation of minorities in the construction industry

--"Philadelphia plan" only sets goals for minority representation---it does not set quotas---intentions of those doing the hiring, if good, can stop the contracts from being cut off

--Determination of whether "Philadelphia plan" sets quotas is one for the courts, not the Comptroller General---those opposed to "Philadelphia plan" should challenge it in the courts

--Opponents of the Senate rider: The Administration, non-labor union liberals, conservatives loyal to the Administration, some moderates. FORD voted AGAINST. Rodino, Kastenmeier, Waldie, Hutchinson, Smith, Sandman, Railsback, Dennis, Bish, Mayne, Hogan voted AGAINST.

ARGUMENTS FOR THE SENATE RIDER:

--Amendment does not focus on "Philadelphia plan"---asks Comptroller General to review all anti-job discrimination programs for possible illegal quotas

--Congress should construe the anti-quota provision of the 1964 Civil Rights Act strictly---"general guidelines" can be quotas

--Labor unions should not be singled out for special Federal intervention

--"Philadelphia plan" interferes with rights of collective bargainers to let unions hire for management

--Supporters of the Senate rider: A coalition of conservatives and labor union liberals. Brooks, Hungate, Eilberg, Flowers, Mann, Wiggins voted FOR.

STATEMENT BY FORD:

--"If you do not have a job to earn the money to buy a house, then open housing legislation does not do you one bit of good. If you do not have a job to earn a living for your family, it does not do you any good in many of these other areas, many of the other areas where Congress has given protection against discrimination.

"This rider prevents minority groups from getting a job in a meaningful way. This rider precludes the opportunity for job equality under Federal contracts. Make no mistake about that. Those who vote 'yea' in effect are saying all these other rights are fine but we are not going to help you get a job under Federal contracts." (See H40907, December 22, 1969.)

IMPORTANT POINTS:

--Ford's defense of the "Philadelphia plan" was vigorous.

--Conyers did not even vote (likewise Edwards and McClory)

--Ford stressed several times that rights on paper are worthless if you lack the income to use those rights

VOTE ON THE SENATE RIDER:

--Rejected, 156 (41 R, 101 D) to 222 (107 R, 115 D).

VOTING RIGHTS ACT OF 1965 EXTENSION

(HR 4249)

HR 4249 extended the Voting Rights Act of 1965 for five more years, through August 1975. If the Act were not so extended, states currently covered (seven southern states) by its provisions would, in August 1970, be able to seek a district court judgment removing them from the jurisdiction of the Act and allowing them to reinstate literacy tests and other qualifying devices.

Administration proposal: Nationwide ban on literacy tests until at least Jan 1, 1974; nationwide power for the Attorney General to dispatch voting examiners and observers; nationwide power for the Attorney General to initiate voting rights suits and ask for a freeze on discriminatory state laws; appointment of a Presidential commission to study voting discrimination and corrupt voting practices. Administration bill would eliminate from Section 5 the requirement that states covered by the bill must file all election law changes with the Attorney General; instead, it would be up to the Justice Department to file suit against discriminatory laws. Administration bill also removed exclusive jurisdiction over voting rights cases from the federal courts in the DC and assigned it to the local federal courts. (FORD introduced).

ARGUMENTS IN FAVOR OF ADMINISTRATION PROPOSAL AND AGAINST FIVE YEAR EXTENSION:

- In 1965, assumption was that the extension of the right to vote would in time become self-sustaining, once those previously denied the franchise because of racial discrimination had gained the power of the ballot box. Therefore, the key provisions of the 1965 Act were supposed to become unnecessary and to expire in August 1970 -- although there would still be a probationary period.
- The 1965 Act had achieved its primary objective and eliminated discrimination against Negroes in voting.
- The 1965 Act discriminated against the South -- Northern states, despite long histories of de facto segregation, were not required to submit to its provisions, which include prior court approval of any changes in voting laws or procedures. D.C instead of local federal district courts given jurisdiction.
- Use of 1964 statistics, instead of 1968 statistics, continues this discrimination against Southern states -- if 1968 figures were used, most if not all Southern states would escape further discrimination by the Federal Government. Some Northern states have worse records. Negroes in all states and ghettos should be protected --DC, Manhattan, Bronx, and Brooklyn had worse minority vote participation than Southern states.
- The laws written in Washington should protect the voting rights of all citizens in all states, and should apply equally to all states -- the penalties for defiance or evasion should be the same North, South, East and West. Unwise to regionalize the country -- whatever regionalizes this country divides this country.
- Role of Attorney General: Administration measure shifts burden of proof back to Att'y Gen. where it ought to be and empowers him to go after any State which does in fact discriminate against voters on racial grounds or which might backslide in the future. Administration does not intend to allow any areas to return to pre-1965 discriminatory practices. Because of recent Supreme Court decision (Caston County v. US) he would be obliged to block reintroduction of literacy tests in any area previously covered by the 1965 Act.

--1970 census and recent Supreme Court rulings will require the reapportionment and redistricting of all seven states now covered by the 1965 Act. It will be difficult if not impossible to do this if the legislators must attempt to perform their duties while shuffling teams of attorneys back and forth to the Nation's Capital.

..

ARGUMENTS AGAINST ADMINISTRATION PROPOSAL AND IN FAVOR OF FIVE YEAR EXTENSION:

--Administration proposal would mean that we would have to revert to the ineffective arduous procedures in effect prior to 1965 -- the case-by-case, county-by-county approach through the courts which has proved so slow and inadequate in the past. (Conyers)

--The most important question to consider: "Do you believe there is no racially motivated voter discrimination now being practiced and that there is no probability or inclination on the part of Southern public officials to practice or support such discrimination?" That question cannot be answered affirmatively. (Conyers)

--Despite dramatic improvement in Negro voter registration and participation in the South, the goal of a climate in which the black man is free to vote...was far from realization. If Congress allows the 1965 Act to expire, Southern states would immediately require all voters to reregister -- then old tests and qualifications would be reinstated to maintain a low level of Negro voter participation. (Conyers)

--During the years the 1965 ACT has been in effect, Southern states have tried various kinds of indirect and devious ways to deprive blacks of their franchise.

--Original intention in 1965 Act was to have a ten-year law, because it was felt it would take at least this long to reach the Act's goals. The five-year shorter duration was a change necessary to secure Senate passage. Therefore, to extend the law for five more years now would carry out the original intent.

--The Attorney General would not very energetically or thoroughly seek out and challenge discrimination if the burden were shifted to him as proposed by the Administration.

--Administration approach is designed to Republicanize the South. Something had to be done to appease Strom Thurmond...

--Having to go through the local federal district courts as required in the Adm. proposal, instead of through the DC federal district court as under the 1965 Act was a step backward. The voting rights cases were restricted to the DC courts originally to solve the problem of getting around Southern courts where the fellows who were discriminating were also the judges. (Mitchell, NAACP)

--Voting discrimination is mainly a problem of the Southern region -- therefore the law should apply to this region.

VOTES:

FORD amendment substituting the Republican Administration proposal. Adopted 208 (129R, 79D) to 204 (49R, 155 D). FORD voted FOR.

Voting Rights Act of 1965 extension (Ford substitute) - Passage: Passed 234 (152R, 82D) to 179 (26 R, 153 D). FORD voted FOR.

Rodino, speaking in favor of 5-year extension, 12/10/69 - page 38137 of Cong. Record, stated,

"In determining whether or not to extend the provisions of the Voting Rights Act for an additional period of time, the Committee on the Judiciary examined in detail the record of accomplishment of the past 4 years. That record is impressive in terms of the vast numbers of Negro citizens who have been placed on voter rolls for the first time. Negro registration in many counties of Alabama, Georgia, Mississippi, North Carolina, South Carolina, Virginia and parishes of Louisiana has more than doubled since the passage of the Act....A large share of the credit for the outstanding accomplishments under the Act must be given to the responsible officials of these States and counties who may have been reluctant or recalcitrant at first, but have carried out their responsibilities in an exemplary manner."

1970

VOTING RIGHTS ACT OF 1965 EXTENSION - final action
(HR 4249)

BACKGROUND: After House passed the Ford-Administration substitute, the Senate after lengthy debate passed a compromise bill which extended the act for five years; amended Section 4 to make the "trigger formula" applicable to all States and counties with a literacy test in which less than 50 percent of the voting age residents were registered on Nov. 1, 1968 or voted in the 1968 Presidential election; suspended the use of literacy tests in all states until 1975; provided that any person could vote in a Presidential election in the place in which he had lived for 30 days immediate prior to a Presidential election; and lowered from 21 to 18 the voting age for all Federal state and local elections, effective Jan, 1971.

Legislation was returned to the House for final action . Debate occurred on whether to pass H.Res.914 accepting the Senate amendments and sending the bill to the President or to defeat H.Res.914 and send the bill to conference.

ARGUMENTS AGAINST CONFERENCE AND FOR H. RES 914:

- To send the bill to Conference would kill it -- the Senate would filibuster it to death -- and this bill is vital to Negroes' voting rights (see arguments above).
- Voting rights law expires August 6. This debate is taking place on June 17. There is not enough time for a conference and subsequent action by both Houses.
- Early court challenge will settle the 18-year vote question before the 1971 elections.
- 18-year vote provision is just as constitutional as provisions banning literacy tests and residence requirements.

ARGUMENTS FOR A CONFERENCE AND AGAINST H RES 914:

- 18-year vote: may be unconstitutional to change this through legislation instead of a constitutional amendment -- questioning the procedure, not the substance. Ford supported 18-year vote in Michigan. (Ford)
- Lawsuits challenging the 18-year vote before the Supreme Court will take time -- perhaps months. Any state or local millage or bond elections held during this period of uncertainty could be invalidated depending on whether or not 18-year olds voted. (Ford)

- We are being asked to make a historic decision on the 18-year vote when neither House nor Senate has held hearings on the question. (Ford)
- Holding voting rights provisions and the 18-year vote hostage to each other prevents Members from supporting the first without swallowing the second. (Ford)
- The President might veto this legislation. (Ford)
- A conference need not be interminable if the House instructs its conferees to accept the Senate's voting rights amendments and the conference is limited to just the 18-year provision.
- Even if the bill became tied up in conference, 17 of the 19 provisions of the 1965 Act are permanent and would not lapse.
- Senate did not filibuster the first time and probably would not on the conference report either.

VOTES:

1. Motion on previous question on H Res 914 - if the motion was voted down, there would be an opportunity to send the legislation to conference. Previous question passed 224 (59R, 165 D) to 183 (117 R, 66 D). FORD voted AGAINST.
2. Final passage of the voting rights Act extension, including 18-year vote. Passed 272 (100 R, 172 D), to 132 (76 R, 56 D). FORD voted FOR.

IMPORTANT POINTS:

With Ford's exemplary record on civil rights for 25 years in Congress, one could not fairly say that he held anti-civil rights views or disagreed with the full enfranchisement of blacks. He voted for the original legislation in 1965 and twice opposed provisions to terminate federal registrar procedures when more than half the voting-age Negro population registered to vote.

Ford's position in the voting rights extension debate was to recognize the progress made in the South over the last five years and to now move to a national, rather than regional, approach so that voting rights discrimination could be attacked wherever it existed.

Ford supported the extension of voting to 18-year olds but felt that a constitutional amendment was a better way to do so than legislation. He feared that tying this measure to the voting rights extension might jeopardize the voting rights legislation altogether.

EQUAL EMPLOYMENT OPPORTUNITIES ACT OF 1971
(HR 1746)

Synopsis:

Bill amends Title VII, Civil Rights Act of 1964 (job discrimination)

Bill expands EEOC jurisdiction to include small businesses and educational institutions---22 million new Americans in all

Bill gives EEOC enforcement powers to bring discrimination cases to court---prior to bill, Justice Department has these powers

Issues:

1. Nature of Enforcement Powers - Erlenborn Substitute

BACKGROUND: Title VII of Civil Rights Act of 1964 creates EEOC. EEOC charged to combat discrimination based on race, sex, religion, etc.---but has no powers beyond "mediation". Justice Department is given power to take cases to court.

Administration proposes giving EEOC the powers of Justice. Committee reports bill giving EEOC its own judicial powers---i.e., power to issue "cease-and-desist" orders without going to court.

Erlenborn offers, on House floor, amendment in the nature of a substitute. Erlenborn substitute gives EEOC power to go to court---nothing more. Administration supports Erlenborn and substitute passes---200 to 195. Substitute comes to vote again when House leaves Committee of the Whole---passes again, 202 to 197.

ARGUMENTS AGAINST ERLENBORN SUBSTITUTE:

--Because of current backlog in courts, plaintiff must wait longer for court action on complaint than he would for EEOC action

--Making EEOC go to court will add thousands of cases to this backlog

--Very existence of EEOC "cease-and-desist" powers will act as spur to quick settlement between parties---e.g., N.Y. State EEOC has such powers and 98% of its cases settled before hearing

--Under present law, dissatisfied plaintiff can go to court 30 days after complaint to EEOC---under Erlenborn substitute, he must wait 6 months

--Risks of excessive EEOC power checked by safeguards of Administrative Procedure Act, and by fact President has responsibility for EEOC actions

--Opponents of amendment: Black leaders, liberals in both parties, scattered moderates and conservatives. Rodino, Conyers, Donohue, Edwards, Eilberg, Sarbanes, Waldie, Drinan, Rangel, Danielson voted AGAINST. Brooks, Hungate, McClory, Fish, Hogan voted AGAINST.

ARGUMENTS FOR ERLENBORN SUBSTITUTE:

--Issue: is not one of ends but of means---i.e., not whether EEOC should act against discrimination, but how

--Under Erlenborn substitute, plaintiff will have his court costs paid for him by EEOC and EEOC will do his legal work

--Erlenborn substitute guarantees all parties the protections standard in a court of law

--Passing Erlenborn substitute will block floor amendments to kill the "Philadelphia plan"

--Rejecting Erlenborn substitute means EEOC will be investigator, prosecutor, and judge in its own cases

--EEOC is not comparable to other agencies with "cease-and-desist" powers because other agencies are explicitly regulatory

--EEOC is not comparable to NLRB because NLRB separates its investigatory from its judicial functions

--FTC now has "cease-and-desist" powers but is petitioning Congress to trade them for the power to go to court---presumably FTC thinks it a good trade

--Supporters of amendment: Most of the conservatives in Congress, the Administration. FORD, Flowers, Hutchinson, Smith, Sandman, Wiggins, Dennis, Mayne, Keating voted FOR.

STATEMENTS BY FORD:

--"I take the floor as a person who voted in February of 1964 for the Civil Rights Act. I believe that was good legislation...

"The issue is not discrimination between the Erlenborn substitute and the committee bill - the issue is how do you achieve enforcement in the most equitable way?..."

"In this kind of situation discretion is very, very important. I happen to believe that the system of justice in the courts is a better forum for that, rather than leaving it in the hands of an agency which has the right to investigate, to prosecute, to make a decision and then to enforce it." (See H8520, H8521, Sept. 16, 1971.)

VOTES ON ERLENBORN SUBSTITUTE:

--In Committee of the Whole, substitute passed: 200 (131 R, 69 D) to 195 (29 R, 166 D). Sept. 16, 1971.

--In the House; substitute passed: 202 (133 R, 69 D) to 197 (29 R, 168 D).

IMPORTANT POINTS:

--That both the Erlenborn substitute and the committee bill expand EEOC enforcement powers. Ford voted to expand them to a lesser degree than more liberal forces desired, but he did vote

--Ford's primary concern seemed to be that giving EEOC "cease-and-desist" powers would deny both plaintiff and defendants the protections they would receive in a court of law. Ford was also concerned about a Federal agency investigating, prosecuting, ruling upon and enforcing its own cases.

(NLRB at least separates these functions, and it is the only agency even approaching a "cease-and-desist" EEOC.)

--Primary concern of liberals seemed to be that plaintiffs might have to wait longer to get a decision from a court than they would to get one from EEOC.

2. "The Philadelphia Plan"

BACKGROUND: The survival of the "Philadelphia plan" did not come to a vote, but it could have. Dent of Pennsylvania had announced that he would offer three amendments against the "Philadelphia plan", but for some reason he said he would do so only if the Erlenborn substitute were defeated.

The substitute was not defeated, and the Dent amendments were not offered, but Ford did speak in defense of the "Philadelphia plan".

STATEMENTS BY FORD:

--"One of the amendments to be offered by the gentleman from Pennsylvania, in effect, makes it much more difficult for blacks to get a job, particularly in the building and construction industries...

"The Philadelphia plan, which is what we are really talking about, does not have anything to do with quotas...I just do not think we ought to interfere with this program with this kind of amendment. The Philadelphia plan seeks in all honesty to improve the job opportunities for blacks or other minorities. You can give them all the rights in the world, but if you do not give a person in a minority status a job, all of these rights do not really mean much, because he cannot feed his children, he cannot feed himself on rights where he does not have a job." (See H8519, H8520, Sept. 16, 1971.)

IMPORTANT POINT:

--On December 22, 1969, Ford voted to uphold the "Philadelphia plan". He voted with the majority to challenge a Senate Supplemental Appropriations rider that would have killed the plan. (See our analysis of this vote.)

3. Final Passage

BACKGROUND: This vote was an anticlimax. The real battle was between the Erlenborn substitute and the committee bill, but once the substitute won many who had opposed it felt it preferable to no action.

ARGUMENTS AGAINST THE BILL:

--Conservative arguments against EEOC interference with business practices---and with its spread to small businesses

--Some arguments by black leaders and liberals that the bill had been watered down too much to be acceptable---however, most blacks and most liberals voted for passage

--Conyers voted AGAINST, as did Dellums

ARGUMENTS FOR THE BILL:

--Standard arguments for equal opportunity

--Fact that discrimination was still prevalent despite creation of EEOC with "mediation" powers

--Special needs of blacks and other minorities for a lower unemployment rate

--FORD, Rodino, most of Judiciary Committee voted FOR

VOTE ON FINAL PASSAGE:

--Passed, 285 (130 R, 155 D) to 106 (27 R, 79 D). Sept. 16, 1971.

--FORD also opposed a motion to recommit. The motion failed, 130 (17 R, 113 D) to 270 (145 R, 125 D). Sept. 16, 1971.

1973

ANTI-DESEGREGATION AMENDMENT TO LEGAL SERVICES CORPORATION ACT
(H.R. 7824)

BACKGROUND: In June, the House was considering a bill to create an independent Legal Services Corporation. The bill passed.

While the chief rationale of the bill was to insulate the Legal Services Corporation from political pressures---so that the Corporation could act freely on behalf of its clients---the House thought it wise to place some restrictions upon Corporation activities.

One such restriction springs from an amendment offered by Mizell of North Carolina. This amendment bars the Corporation from participating in "any proceeding or litigation" which even relates to school desegregation. It is important to note that the amendment goes beyond banning involvement in the busing issue; it bans any involvement with school desegregation by any method.

ARGUMENTS FOR THE MIZELL AMENDMENT:

--Standard anti-busing arguments

--The existing Legal Services program has placed millions of dollars in legal research contracts with the Harvard Center for Law and Education. This same Center for Law and Education has filed briefs supporting long-range busing in greater Detroit. So, unless the House wants tax money spent to oppose the will of the taxpayers, restraint on the Legal Services Corporation is necessary.

--FORD voted FOR. Likewise, Brooks, Eilberg, Flowers, Mann, Thornton, Hutchinson, Dennis, Hogan, Keating, Butler, Lott, Froehlich, Moorhead.

ARGUMENTS AGAINST THE MIZELL AMENDMENT:

--The amendment unconstitutionally violates "equal protection of the laws", in that it does not give Legal Services Corporation clients the same right to challenge school desegregation that they would have if they went to a private lawyer

--The way to stop forced busing is to argue it in the courts, not to tie the hands of a lawyer with a duty to press his client's interests

--This vote is being taken in an atmosphere of emotionalism

--Rodino, Conyers voted AGAINST. So did Donohue, Kastenmeir, Edwards, Hungate, Sarbanes, Seiberling, Drinan, Jordan, Rangel, Holtzman, Owens, Mezvinsky. Likewise Republicans McClory, Smith, Railsback, Wiggins, Fish, Mayne, Cohen, Maraziti.

IMPORTANT POINTS

--The Mizell amendment goes beyond busing to ban involvement with any school desegregation action at all

--A majority of the House voted with FORD, but---by 22 to 13---a majority of the Judiciary Committee did not

--Ford did not participate in the debate

VOTE ON THE AMENDMENT:

--Passed, 221 to 150. June 21, 1973.

CIVIL RIGHTS

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
1965 - Oct. 27, 1965 A6141		
MP 82	Voting Rights--enforcement of 15th amendment to the constitution (H.R. 6400). Vote on rule (H. Res. 440) for consideration of H.R. 6400. July 6. Result: Adopted, 308 (116 R, 192 D) to 58 (9 R, 49 D).	<u>yes</u>
MP 83	Voting Rights--enforcement of 15th amendment (H.R. 6400). Cramer vote-fraud amendment to provide criminal penalties for giving false information on voting eligibility status. July 9. Result: Adopted, 253 (136 R, 117 D) to 165 (0 R, 165 D).	<u>yes</u>
MP 84	Voting Rights--enforcement of 15th amendment (H.R. 6400). Boggs amendment respecting judicial review (to allow termination of Federal registrar procedure where more than half the Negro population was registered to vote). July 9. Result: Rejected, 155 (18 R, 137 D) to 262 (118 R, 144 D).	<u>NO</u>
MP 85	Voting Rights--enforcement of 15th amendment (H.R. 6400). Gilbert amendment to allow people illiterate in English to vote if they have completed the sixth grade in Spanish-language schools. July 9. Result: Rejected, 202 (10 R, 192 D) to 216 (125 R, 91 D).	<u>NO.</u>
MP 86	Voting Rights--enforcement of 15th amendment (H.R. 6400). Motion to recommit with instructions to substitute the text of H.R. 7896 for H.R. 6400. July 9. Result: Rejected, 171 (115 R, 56 D) to 248 (21 R, 227 D).	<u>yes</u>
MP 87	Voting Rights--enforcement of 15th amendment (H.R. 6400). Vote on passage. July 9. Result: Passed, 333 (112 R, 221 D) to 85 (24 R, 61 D).	<u>yes</u>
MP 106	Voting Rights--enforcement of 15th amendment (S. 1564). Conference report. Motion to recommit with instructions to delete amendment allowing termination of Federal registrar procedure where more than half the voting-age Negro population registered to vote. August 3. Result: Rejected, 118 (115 R, 3 D) to 284 (16 R, 258 D).	<u>yes</u>
MP 107	Voting Rights--enforcement of 15th amendment (S. 1564). Conference report. Vote on adoption. August 3. Result: Adopted, 328 (111 R, 217 D) to 74 (20 R, 54 D).	<u>yes</u>

CIVIL RIGHTS

2

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
1965		
137	Equal Employment Opportunity--procedural vote. September 13. Result: 226 Yeas (27 R, 199 D) to 126 Nays (92 R, 34 D).	ABSENT DU "No"
138	Equal Employment Opportunity--procedural vote. September 13. Result: 244 Yeas (36 R, 208 D) to 127 Nays (88 R, 39 D).	NY "No"
139	Equal Employment Opportunity--procedural vote. September 13. Result: 255 Yeas (47 R, 209 D) to 124 Nays (81 R, 43 D).	No
140	Equal Employment Opportunity--procedural vote. September 13. Result: 255 Yeas (49 R, 206 D) to 121 Nays (76 R, 45 D).	No
141	Equal Employment Opportunity--House Journal Approval. September 13. Result: 138 Yeas (95 R, 43 D) to 244 (33 R, 211 D).	YES
142	Equal Employment Opportunity--House Journal Approval. September 13. Result: 257 Yeas (39 R, 218 D) to 126 (87 R, 39 D).	No
143	Equal Employment Opportunity--House Journal Approval. September 13. Result: 265 Yeas (49 R, 216 D) to 119 (78 R, 41 D).	No
144	Equal Employment Opportunity--Motion to adjourn. September 13. Result: 175 Yeas (105 R, 70 D) to 204 (23 R, 181 D).	YES
145	Equal Employment Opportunity (H.R. 10065). Vote on rule (H. Res. 506) for consideration of H.R. 10065. September 13. Result: Adopted, 259 (76 R, 183 D) to 121 (51 R, 70 D).	YES
146	Equal Employment Opportunity (H.R. 10065). Motion to table motion to reconsider adoption of H. Res. 506, the rule for consideration of H.R. 10065. September 13. Result: Motion to table adopted, 194 (8 R, 186 D) to 181 (118 R, 63 D).	No
147	Motion to adjourn. September 13. Result: Rejected, 174 (106 R, 68 D) to 202 (20 R, 182 D).	YES

CIVIL RIGHTS

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
1965		
148	Procedural vote. September 13. Result: Passed, 243 (36 R, 207 D) to 136 (88 R, 48 D).	<u>No</u>
170	D.C. Home Rule--elected mayor, city council, and non-voting Delegate to the House of Representatives (H.R. 4644). Motion to discharge the Committee on Rules from further consideration of H. Res. 515, the open rule for consideration of H.R. 4644. September 27. Result: Adopted, 213 (31 R, 182 D) to 183 (96 R, 87 D).	<u>No</u>
171	D. C. Home Rule--elected mayor, city council, and non-voting Delegate to the House of Representatives (H.R. 4644). Vote on open rule (H. Res. 515) for consideration of the legislation and substitution of S. 1118, with House-passed language. September 27. Result: Adopted, 223 (35 R, 188 D) to 179 (95 R, 84 D).	<u>No</u>
172	D.C. Home Rule--elected mayor, city council, and non-voting Delegate to the House of Representatives (H.R. 4644). Multer motion that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the legislation. September 27. Result: Adopted, 234 (46 R, 188 D) to 155 (80 R, 75 D).	<u>YES</u>
173	D.C. Home Rule--elected mayor, city council and non-voting Delegate to the House of Representatives (H.R. 4644). Motion to accept the recommendation of the Committee of the Whole to strike the enacting clause, thereby kill the bill. September 29. Result: Rejected, 179 (93 R, 86 D) to 219 (34 R, 185 D).	<u>No</u>
174	D.C. Home Rule--elected mayor, city council and non-voting Delegate to the House of Representatives (H.R. 4644). Multer amendment as amended by Sisk amendment. September 29. Result: Adopted, 227 (105 R, 122 D) to 174 (23 R, 151 D).	<u>No</u>
175	D.C. Home Rule--authorization of D.C. residents to elect a board for the purpose of preparing a municipal charter for submission to the voters and to Congress (H.R. 4644). Motion to recommit (kill) the bill. September 29. Result: Rejected, 134 (62 R, 72 D) to 267 (66 R, 201 D).	<u>YES</u>

MP all
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CIVIL RIGHTS

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
<u>1965</u>		
117 176	D.C. Home Rule—authorization of D.C. residents to elect a board for the purpose of preparing a municipal charter for submission to the voters and to Congress (H.R. 4644). Vote on passage. September 29. Result: Passed, 283 (86 R, 197 D) to 117 (42 R, 75 D). Passage subsequently vacated and S. 1118, with House language, passed in lieu.	<u>YES</u>
<u>1966</u>		
117 39	Resolution expressing disapproval of Reorganization Plan No. 1 of 1966 (Community Relations Service transfer) (H. Res. 756). April 20. Result: Rejected, 163 (109 R, 54 D) to 220 (18 R, 202 D).	<u>YES</u>
117 42	Equal Employment Opportunity Act of 1966 (H.R. 10065). Vote on passage. April 27. Result: Passed, 300 (98 R, 202 D) to 93 (32 R, 61 D).	<u>YES</u>
67	Bail Reform Act (S. 1357). Vote on passage. June 7. Result: Passed, 319 (103 R, 216 D) to 14 (6 R, 8 D).	<u>YES</u>
117 87	Civil Rights Act of 1966 (H.R. 14765). Vote on open rule (H.Res. 910) for consideration of H.R. 14765. July 25. Result: Adopted, 200 (20 R, 180 D) to 180 (105 R, 75 D).	<u>NO</u>
117 88	Civil Rights Act of 1966 (H.R. 14765). Mathias amendment to allow real estate brokers, agents or salesmen and their agents to comply with written instructions of owners not in the business of building, developing, selling, renting, or leasing dwellings. August 9. Result: Passed, 237 (69 R, 168 D) to 176 (69 R, 107 D).	<u>NO</u>
117 89	Civil Rights Act of 1966 (H.R. 14765). Cramer "anti-riot" amendment—Federal penalties for persons traveling in interstate or foreign commerce or using U.S. mails with intent to incite, promote or encourage riots. August 9. Result: Passed, 389 (138 R, 251 D) to 25 (0 R, 25 D).	<u>YES</u>
117 90	Civil Rights Act of 1966 (H.R. 14765). Whitener amendment requiring written complaint by an affected person charging officials with discrimination before the Attorney General could institute suits to desegregate schools or other public facilities. August 9. Result: Passed, 214 (103 R, 111 D) to 201 (35 R, 166 D).	<u>YES</u>

CIVIL RIGHTS

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
<u>1966</u>		
WP91	Civil Rights Act of 1966 (H.R. 14765). Motion to re-commit with instructions to strike title IV, prevention of discrimination in housing. August 9. Result: Rejected, 190 (86 R, 104 D) to 222 (50 R, 172 D).	<u>yes</u>
WP92	Civil Rights Act of 1966 (H.R. 14765). Vote on passage. August 9. Result: Passed, 259 (76 R, 183 D) to 157 (62 R, 95 D).	<u>yes</u>
107 <i>skip</i>	District of Columbia—prohibition of picketing within 500 feet of any church (H.R. 16340). Motion to recommit with instructions that hearing be held on the bill, a report from the Justice Department and testimony from the Attorney General be requested. August 22. Result: Rejected, 54 (17 R, 37 D) to 237 (86 R, 151 D).	<i>absent if present would have voted no</i>
108 <i>skip</i>	District of Columbia—prohibition of picketing within 500 feet of churches during or within two hours before or after services, when the picketing was directed against a person attending the services (H.R. 16340). (This followed the picketing of the Nugent-Johnson wedding.) Vote on passage. August 22. Result: Passed, 249 (92 R, 157 D) to 44 (13 R, 31 D).	<i>absent if present would have voted yes</i>
160 <i>in</i>	Elementary and Secondary Education Assistance (H.R. 13161). Amendment to require express finding on the record and opportunity for a hearing before Commission of Education may withhold funds under Title VI of Civil Rights Act of 1964. October 6. Result: Agreed to, 220 (103 R, 117 D) to 116 (4 R, 112 D).	<u>yes</u>
<i>Dec. 18, 1967</i>		
<u>1967</u>		
89	Civil Rights Commission Extension through January 31, 1973 (H.R. 10805). Vote on passage. July 11. Result: Passed, 284 (136 R, 148 D) to 89 (27 R, 62 D).	<u>yes</u>
112	Penalties for interference with civil rights (H.R. 2516). Vote on open rule (H. Res. 856) for consideration of H.R. 2516. August 15. Result: Open rule adopted, 330 (166 R, 164 D) to 77 (14 R, 63 D).	<u>yes</u>
113	Penalties for interference with civil rights (H.R. 2516). Vote on passage. August 16. Result: Passed, 326 (161 R, 165 D) to 93 (25 R, 68 D).	<u>yes</u>

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CIVIL RIGHTS

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
<u>1965</u>		
MP 176	D.C. Home Rule--authorization of D.C. residents to elect a board for the purpose of preparing a municipal charter for submission to the voters and to Congress (H.R. 4644). Vote on passage. September 29. Result: Passed, 283 (86 R, 197 D) to 117 (42 R, 75 D). Passage subsequently vacated and S. 1118, with House language, passed in lieu.	<u>YES</u>
<u>1966</u>		
MP 39	Resolution expressing disapproval of Reorganization Plan No. 1 of 1966 (Community Relations Service transfer) (H. Res. 756). April 20. Result: Rejected, 163 (109 R, 54 D) to 220 (18 R, 202 D).	<u>YES</u>
MP 42	Equal Employment Opportunity Act of 1966 (H.R. 10065). Vote on passage. April 27. Result: Passed, 300 (98 R, 202 D) to 93 (32 R, 61 D).	<u>YES</u>
67	Bail Reform Act (S. 1357). Vote on passage. June 7. Result: Passed, 319 (103 R, 216 D) to 14 (6 R, 8 D).	<u>YES</u>
MP 87	Civil Rights Act of 1966 (H.R. 14765). Vote on open rule (H.Res. 910) for consideration of H.R. 14765. July 25. Result: Adopted, 200 (20 R, 180 D) to 180 (105 R, 75 D).	<u>NO</u>
MP 88	Civil Rights Act of 1966 (H.R. 14765). Mathias amendment to allow real estate brokers, agents or salesmen and their agents to comply with written instructions of owners not in the business of building, developing, selling, renting, or leasing dwellings. August 9. Result: Passed, 237 (69 R, 168 D) to 176 (69 R, 107 D).	<u>NO</u>
MP 89	Civil Rights Act of 1966 (H.R. 14765). Cramer "anti-riot" amendment--Federal penalties for persons traveling in interstate or foreign commerce or using U.S. mails with intent to incite, promote or encourage riots. August 9. Result: Passed, 389 (138 R, 251 D) to 25 (0 R, 25 D).	<u>YES</u>
MP 90	Civil Rights Act of 1966 (H.R. 14765). Whitener amendment requiring written complaint by an affected person charging officials with discrimination before the Attorney General could institute suits to desegregate schools or other public facilities. August 9. Result: Passed, 214 (103 R, 111 D) to 201 (35 R, 166 D).	<u>YES</u>

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
<u>1967</u>		
205	Economic Opportunity Act (S. 2388). Amendment to prohibit use of funds to organize or assist in organizing any unlawful demonstration or civil disturbance or for defending persons who participated in organizing them. November 15. Result: Passed, 332 (169 R, 163 D) to 79 (6 R, 73 D).	<i>YES</i>
228	Prevention of Discrimination Against Workers Aged 40-65 (H.R. 13054). Vote on passage. December 4. Result: Passed, 344 (152 R, 192 D) to 13 (2 R, 11 D).	<i>YES</i> <i>Adam Clayton Powell</i>
<u>1968</u>		
	<i>Oct 21, 1968</i>	
16	Federal juries--improved judicial machinery for selection--random selection of Federal jury panels from voter lists--prohibition of discrimination in selection of prospective jurors (S. 989). Vote on passage. February 26. Result: Passed, 307 (160 R, 147 D) to 45 (1 R, 44 D).	<i>YES</i>
49	Civil Rights--penalties for interference with-- Vote on resolution (H. Res. 1100) to agree to Senate amendments to H.R. 2516. Motion to cut off debate. April 10. Result: Adopted (previous question ordered), 229 (77 R, 152 D) to 195 (106 R, 89 D).	<i>NO</i>
50	Civil Rights--penalties for interference with--Vote on resolution (H. Res. 1100) to agree to Senate amendments to H.R. 2516. April 10. Result: Passed, 250 (100 R, 150 D) to 172 (84 R, 88 D).	<i>YES</i>
82	D.C. Riot Damage--to direct the Commissioner of the District of Columbia to remove, at the expense of the District of Columbia, buildings destroyed or damaged in riots or other civil disorders (H.R. 16948.) Vote on passage. May 27. Result: Rejected, 142 (36 R, 106 D) to 185 (117 R, 68 D).	<i>absent</i> <i>if present would have voted no.</i>
184	Commission on Negro Culture and History (H.R. 12962). Vote on passage. September 16. Result: Passed, 262 (128 R, 134 D) to 45 (17 R, 28 D).	<i>absent</i> <i>if present would have voted yes</i>
212	Labor-HEW Appropriations, fiscal year 1969 (H.R. 18037). Conference report. Motion to amend and concur with Senate amendment to prohibit use of funds to "force busing of students...against the will of his or her parents." October 3. Result: Rejected, 167 (82 R, 85 D) to 176 (68 R, 108 D).	<i>YES</i> <i>NO</i> <i>Liberal</i>

CIVIL RIGHTS

Vote
No.

Subject

Voted

1968 - Oct. 21, 1968 E 9315

213 Labor-HEW Appropriations, fiscal year 1969 (H.R. 18037). Conference report. Motion that House recede from disagreement with language of amendment prohibiting withholding funds to force busing of students "in order to overcome racial imbalance." October 3. Result: Agreed to, 330 (146 R, 184 D) to 7 (5 R, 2 D).

YES

1969

150 Voting Rights Act of 1965 extension (H.R. 4249). Ford amendment substituting the Republican Administration nationwide voting rights proposal instead of a five-year extension of the present "south only" voting rights bill. December 11. Result: Adopted, 208 (129 R, 79 D) to 204 (49 R, 155 D).

YES

with

151 Voting Rights Act of 1965 extension (Ford substitute). (H.R. 4249). Vote on passage. December 11. Result: Passed, 234 (152 R, 82 D) to 179 (26 R, 153 D).

YES

167 Labor-HEW Appropriations, fiscal year 1970 (H.R. 13111). Conference report. Motion to table motion to instruct House conferees to agree to Senate amendments adding the words "except as required by the Constitution" to language prohibiting use of funds to force busing of an elementary or secondary school student against his or her parents choice. December 18. Result: Rejected, 181 (90 R, 91 D) to 216 (84 R, 132 D).

If present would have voted no

Don

177 Supplemental Appropriations, fiscal year 1970 (H.R. 15209). Motion to agree with a Senate amendment which in effect would have prevented funds appropriated by this bill from being used to finance the "Philadelphia Plan" advocated by the Administration as a means to increase non-white employment by Federal contractors. December 22. Result: Rejected, 156 (41 R, 115 D) to 208 (124 R, 84 D).

No

1970

20 Labor-HEW Appropriations, fiscal year 1970 (H.R. 15931). Motion to table motion to instruct conferees to agree to Senate amendments (two of which watered down anti-busing and freedom of choice provisions). March 3. Rejected, 164 (63 R, 101 D) to 222 (107 R, 115 D).

No

CIVIL RIGHTS

Vote
No.

Subject

Voted

1970

21 Labor-HEW Appropriations, fiscal year 1970 (H.R. 15931). Motion to instruct conferees to agree to Senate amendments two of which watered down anti-busing and freedom of choice provisions. March 3. Result: Passed, 231 (115 R, 116 D) to 152 (55 R, 97 D).

YES

MP-96

Voting Rights (H.R. 4249). Motion to cut off debate on H. Res. 914, to agree to Senate amendments including 18-year-old vote amendment. June 17. Result: Passed, 224 (59 R, 165 D) to 183 (117 R, 66 D).

No

MP-97

Voting Rights (H.R. 4249). Vote on H. Res. 914, to agree to Senate amendments to H.R. 4249, including 18-year-old vote amendment, nationwide 30-day residency requirement for Presidential elections, suspension of literacy tests for voting, and extension of provisions to encourage registration of more black voters. June 17. Result: Passed, 272 (100 R, 172 D) to 132 (76 R, 56 D).

YES

106

Office of Education Appropriations (H.R. 16916). Conference report. Motion to table motion to instruct conferees to agree to Senate amendments striking out provisions prohibiting use of funds for "forced busing", and protesting "freedom of choice" school plans. June 30. Result: Tabled, 191 (107 R, 84 D) to 157 (35 R, 122 D). This result was pro-freedom of choice, anti-busing.

YES

X

Jandy 147

Women's Rights Amendment to the Constitution (H.J. Res. 264). Motion to discharge Judiciary Committee from further consideration of H.J. Res. 264. August 10. Result: Passed, 333 (142 R, 191 D) to 22 (15 R, 7 D).

YES

Jandy 148

Women's Rights Amendment to the Constitution (H.J. Res. 264). Motion to recommit to Judiciary Committee for hearings. August 10. Result: Defeated, 26 (14 R, 12 D) to 344 (146 R, 198 D).

No

Jandy 149

Women's Rights Amendment to the Constitution ("Equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex. Congress and the several states shall have power within their respective jurisdictions to enforce this article by appropriate legislation") (H.J. Res. 264). Vote on passage. August 10. Result: Passed, 352 (150 R, 202 D) to 15 (9 R, 6 D).

YES

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
<u>1970</u>		
187	Federal Criminal Justice—legal counsel for indigents (S. 1461). Vote on passage. October 5. Result: Passed, 277 (123 R, 154 D) to 21 (5 R, 16 D).	<u>YES</u>
196	Civil Rights Commission Authorization (S. 2455). Vote on passage. November 16. Result: Passed, 272 (119 R, 153 D) to 59 (22 R, 37 D).	<u>YES</u>
✓252	School Desegregation Aid (H.R. 19446). Motion to resolve into the Committee of the Whole. December 21. Result: Passed, 147 (43 R, 104 D) to 34 (46 R, 38 D).	<u>YES</u>
✓253	School Desegregation Aid (H.R. 19446). Motion to strike enacting clause (kill the bill). December 21. Result: Defeated, 109 (62 R, 47 D) to 130 (34 R, 96 D).	<u>NO</u>
✓254	School Desegregation Aid (H.R. 19446). Vote on passage. December 21. Result: Passed, 159 (53 R, 106 D) to 77 (39 R, 38 D).	<u>YES</u>
<u>1971</u> - Dec. 17, 1971 E13746		
16	Extension of right to vote to citizens aged 18 or older—proposed Constitutional amendment (S.J.Res. 7). Vote on adoption (two-thirds majority required). March 23. Result: Adopted, 401 (164 R, 237 D) to 19 (12 R, 7 D).	<u>YES</u>
31	Office of Education Appropriations, fiscal year 1972 (H.R. 7016). Conte (R) amendment to strike out the section forbidding forced busing of schoolchildren for purpose of desegregation. April 7. Result: Rejected, 149 (35 R, 114 D) to 206 (117 R, 89 D).	<u>NO</u>
53	Civil Rights Commission Authorization increase from \$3.4 million to \$4 million for fiscal year 1972 (H.R. 7271). Vote on passage. May 17. Result: Passed, 262 (114 R, 148 D) to 67 (24 R, 43 D).	<u>YES</u>
154	School busing and desegregation documents--resolution to direct Secretary of HEW to furnish to House (H. Res. 539). Collins (D) motion to discharge Education and Labor Committee from further consideration of the resolution. August 2. Result: Agreed to, 252 (141 R, 111 D) to 129 (20 R, 109 D).	<u>YES</u>
155	School busing and desegregation documents--resolution to direct Secretary of HEW to furnish to House (H. Res. 539). Vote on adoption. August 2. Result: Adopted, 351 (160 R, 191 D) to 36 (3 R, 33 D).	<u>YES</u>

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
<u>1971</u>		
¹⁵⁶ <i>Linder</i>	Equal treatment of married women employed by the Federal Government (H.R. 3628). Vote on passage. August 2. Result: Passed, 377 (153 R, 224 D) to 11 (9 R, 2 D).	<u>YES</u>
169	Repeal of Title II (Emergency Detention Act) of the Internal Security Act of 1950 (H.R. 234). Vote on rule (H. Res. 483) for consideration of H.R. 234. September 13. Result: Adopted, 345 (140 R, 205 D) to 1 (1 R, 0 D).	<u>Absent</u> <u>"YES"</u>
170	Repeal of Title II (Emergency Detention Act) of the Internal Security Act of 1950 (H.R. 234). Ichord (D) substitute for committee amendment (see Vote No. 171) to specify that repeal of Title II shall not be construed as affecting the Constitutional powers of the President and to provide that no U.S. citizen shall be detained for suspension of espionage or sabotage on account of race, color or ancestry. September 14. Result: Rejected, 124 (63 R, 61 D) to 272 (101 R, 171 D).	<u>No</u>
171	Repeal of Title II (Emergency Detention Act) of the Internal Security Act of 1950 (H.R. 234). Committee amendment that "no citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress." September 14. Result: Agreed to, 290 (105 R, 185 D) to 111 (60 R, 51 D).	<u>YES</u>
172	Repeal of Title II (Emergency Detention Act) of the Internal Security Act of 1950 (H.R. 234). To prohibit the establishment of detention camps (in time of war) and to provide that no citizen shall be imprisoned or detained by the United States except pursuant to an Act of Congress. Vote on passage. September 14. Result: Passed, 356 (144 R, 212 D) to 49 (22 R, 27 D).	<u>YES</u>
<i>Dr</i> 173	Equal Employment Enforcement Act (H.R. 1746). Erlenborn (R) substitute amendment giving Equal Employment Opportunity Commission (EEOC) authority to sue in Federal courts to enforce Federal anti-job discrimination laws, in lieu of giving EEOC "cease and desist" order authority and enlarging EEOC jurisdiction. Vote in Committee of the Whole. September 16. Result: Agreed to, 200 (131 R, 69 D) to 195 (29 R, 166 D).	<u>YES</u>
<i>Dr</i> 174	Equal Employment Enforcement Act (H.R. 1746). Erlenborn (R) substitute amendment (see Vote No. 173). Vote in regular session. September 16. Result: Agreed to, 202 (133 R, 69 D) to 197 (29 R, 168 D).	<u>YES</u>
<i>Dr</i> 175	Equal Employment Enforcement Act (H.R. 1746). Ashbrook (R) motion to recommit (kill) the bill. September 16. Result: Rejected, 130 (17 R, 113 D) to 270 (145 R, 125 D).	<u>No</u>

No.

Subject

Vote

1971

Dom 176

Equal Employment Enforcement Act (H.R. 1746). Vote on passage, as described in Vote No. 173. September 16. Result: Passed, 285 (130 R, 155 D) to 106 (27 R, 79 D). (See Vote No. 40 in 1972).

YES

183

Poverty--extension of Economic Opportunity Act of 1964 (H.R. 10351). Devine (R) amendment to delete Title X which creates a nonprofit independent National Legal Services Corporation to replace the OEO Legal Services Program. September 30. Result: Rejected, 152 (85 R, 67 D) to 210 (61 R, 149 D).

NO

186

Poverty--extension of Economic Opportunity Act of 1964 (H.R. 10351). To authorize \$5 billion for a two year extension of the Office of Economic Opportunity; create a comprehensive child care program; and establish a National Legal Services Corporation to replace the OEO Legal Services Program. Vote on passage. September 30. Result: Passed, 251 (82 R, 169 D) to 115 (68 R, 47 D). Passage vacated, S.2007 passed in lieu. (See Vote No. 297).

YES

195

Equal rights for men and women--proposed amendment to the Constitution (H.J. Res. 208). Judiciary Committee amendment to specify that Constitutional amendment apply both to citizens and non-citizens. October 12. Result: Rejected, 104 (70 R, 34 D) to 254 (72 R, 182 D).

ABSENT
"YES"

196

Equal rights for men and women--proposed amendment to the Constitution (H.J. Res. 208). Judiciary Committee amendment to specify that Congress would retain authority to exempt women from the draft, and that Federal and State laws "reasonably promoting the health and safety of the people" would be retained. October 12. Result: Rejected, 87 (46 R, 41 D) to 265 (91 R, 174 D).

ABSENT
"YES"

197

Equal rights for men and women--proposed amendment to the Constitution (H.J. Res. 208). Vote on adoption of the resolution (two-thirds majority required). October 12. Result: Adopted, 354 (137 R, 217 D) to 24 (12 R, 12 D).

ABSENT
"YES"

209

Alaska Native Land Claims Settlement Act (H.R. 10367). To grant \$925 million and 40 million acres of land. Vote on passage. October 20. Result: Passed, 334 (121 R, 213 D) to 63 (46 R, 17 D).

YES

216

Emergency School Aid Act of 1971 (H.R. 2266). To authorize \$1.5 billion in Federal aid for desegregation school districts. Vote on passage under suspension of the rule (two-thirds majority required). November 1. Result: Failed to pass, 135 (41 R, 94 D) to 222 (113 R, 109 D). (See vote no. 241).

YES

CIVIL RIGHTS

Vote No.

Subject

Voted

1971

229 Higher Education Act of 1971 (H.R. 7248). Quie (R) amendment to terminate authorization for general institutional aid for church-related institutions if the Supreme Court should hold such aid unconstitutional. November 3. Result: Rejected, 119 (107 R, 12 D) to 264 (51 R, 213 D).

YES

231

Higher Education Act of 1971 (H.R. 7248). Erlenborn (R) amendment to exempt all-male and all-female undergraduate institutions from certain anti sex discrimination language which would make them ineligible for Federal educational aid. Vote in Committee of the Whole. (see Vote No. 242). November 4. Agreed to, 194 (134 R, 60 D) to 189 (23 R, 166 D).

YES

236

Higher Education Act of 1971 (H.R. 7248). Broomfield (R) amendment to postpone effectiveness of Federal court orders requiring busing for racial balance until appeals or time for taking appeals had been exhausted. November 4. Result: Agreed to, 235 (129 R, 106 D) to 125 (17 R, 108 D).

YES

237

Higher Education Act of 1971 (H.R. 7248). Green (D) amendment to Ashbrook (R) amendment (see Vote No. 239), to bar any Federal agency from forcing States to expend funds for busing to overcome racial imbalance. November 4. Result: Agreed to, 231 (117 R, 114 D) to 126 (28 R, 98 D).

YES

238

Higher Education Act of 1971 (H.R. 7248). Esch (R) amendment to Ashbrook (R) amendment (See Vote No. 239), to exempt school districts carrying out court-ordered desegregation from ban on use of Federal funds for busing to overcome racial imbalance. November 4. Result: Rejected, 146 (39 R, 107 D) to 216 (107 R, 109 D).
231 ~~126 (clat)~~

239

Higher Education Act of 1971 (H.R. 7248). Ashbrook (R) amendment to bar use of Federal funds to bus teachers or students in order to overcome racial imbalance, or to purchase transportation equipment for such purpose. (See Vote No. 237). November 4. Result: Agreed to, 234 (125 R, 109 D) to 124 (20 R, 104 D).

YES

240

Higher Education Act of 1971 (H.R. 7248). Ford (D., Mich.) substitute for Pucinski (D) amendment (Vote No. 241) to authorize Federal study of needs incident to desegregation of school districts. November 4. Result: Rejected, 92 (12 R, 80 D) to 269 (136 R, 133 D).

NO

241

Higher Education Act of 1971 (H.R. 7248). Pucinski (D) amendment adding H.R. 2256 (Emergency School Aid Act of 1971, authorizing \$1.5 billion to aid desegregation of school districts, but with busing ban) to H.R. 7248. November 4. Result: Agreed to, 211 (119 R, 92 D) to 159 (32 R, 127 D).

YES

CIVIL RIGHTS

Vote
No.

Subject

Voted

1971

242

Higher Education Act of 1971 (H.R. 7248). Erlenborn (R) amendment to exempt all-male and all-female undergraduate institutions from certain anti sex discrimination language which would make them ineligible for Federal educational aid. Vote in regular session. (see Vote No. 231.) November 4. Result: Agreed to, 186 (132 R, 54 D) to 181 (18 R, 163 D).

YES

243

Higher Education Act of 1971 (H.R. 7248). Vote on passage. To extend and amend Federal aid to higher education, create National Institute of Education, and authorize \$1.5 billion to aid desegregation of school districts. November 4. Result: Passed, 332 (128 R, 204 D) to 38 (24 R, 14 D). Passage vacated, S. 659 amended and passed in lieu. (See Votes No. 38, 39, 93 and 94 in 1972).

YES

245

Voluntary prayer in public buildings—proposed Constitutional amendment to make permissible (H.J. Res. 191). Wylie (R) motion to discharge House Judiciary Committee from further consideration. November 8. Result: Agreed to, 242 (129 R, 113 D) to 156 (33 R, 123 D).

YES

246

Voluntary prayer in public buildings—proposed Constitutional amendment to make permissible (H.J. Res. 191). Vote on adoption of the resolution (two-thirds majority required). November 8. Result: Failed to pass, 240 (138 R, 102 D) to 163 (26 R, 137 D).

YES

297

W. Lawrence

Poverty—Extension of Economic Opportunity Act of 1964 (S. 2007). Conference report. Extends OEO for two-years, authorizes \$6.3 billion (\$1.3 billion more than the House-passed bill, H.R. 10351, (See Vote No. 186); establishes National Legal Services Corporation; creates comprehensive child development program. Vote on adoption. December 7. Result: Adopted, 211 (31 R, 180 D) to 187 (135 R, 52 D). Vetoed by the President, veto sustained by the Senate.

No

315

Alaska Native Land Claims Settlement Act (H.R. 10367). Conference report. To grant \$962.5 million (\$37.5 million more than the House-passed bill) and 40 million acres of land. Vote on adoption. December 14. Result: Adopted, 307 (109 R, 198 D) to 60 (45 R, 15 D).

YES

Nov. 2, 1972

E 9034

<u>Vote No.</u>	<u>Subject</u>	<u>Voted</u>
<u>1972</u>		
1	Guam and Virgin Islands Non-voting Delegates to Congress (H.R. 8787). To provide a non-voting delegate from each to the House of Representatives. Vote on passage. January 18. Result: Passed, 232 (90 R, 142 D) to 104 (52 R, 52 D).	<u>yes</u>
6	Age Requirements for Federal Jobs (H.R. 8085). To authorize the President to set maximum age limits for appointments where age was found to be a necessary qualification for successful performance. Vote on passage. January 27. Result: Defeated, 81 (34 R, 47 D) to 249 (106 R, 143 D).	<u>yes</u>
27 <i>Martha</i>	Office of Economic Opportunity Extension (H.R. 12350). Quie (R) substitute amendment providing for a 2-year extension of existing OEO programs (in effect striking from the bill title X, National Legal Services Corporation), and cutting the authorization to \$4.168 billion for fiscal years 1972-73. February 17. Result: Rejected, 159 (113 R, 46 D) to 206 (32 R, 174 D).	<u>yes</u>
28 <i>Martha</i>	Office of Economic Opportunity Extension (H.R. 12350). To extend for 2 years, authorize \$5.3 billion over fiscal years 1972-73, create an independent Legal Services Corporation, and authorize a new rural housing development and rehabilitation program. Vote on passage. February 17. Result: Passed, 234 (53 R, 181 D) to 127 (88 R, 39 D).	<u>NO</u>
36	Non-discrimination in Jury Selection (H.R. 2589). To require that questions of race and occupation be answered on Federal jurors' qualification forms in order to enforce non-discrimination in jury selection. Vote on passage under suspension of the rules. March 6. Result: Passed, 317 (139 R, 178 D) to 27 (15 R, 12 D).	<u>yes</u>
38	Omnibus Education Act Amendments of 1972 (S. 659). (see Votes No. 213-215, 227-243 in 1971). Perkins (D) motion to table (kill) Ruth (R) motion to instruct House conferees to insist on House-approved anti-busing amendments. (see Vote No. 39). March 8. Result: Motion to table rejected, 139 (27 R, 112 D) to 270 (144 R, 126 D).	<u>NO</u>

400. 2, 1972
E 9035

1972

39

Omnibus Education Act Amendments of 1972 (S. 659). Ruth (R) motion to instruct House conferees to insist on House-passed anti-busing (Broomfield-Ashbrook-Green) amendments barring use of Federal funds for busing students or teachers to effect racial balance, barring Federal pressure for use of State or local funds for the same purpose, and postponing the effective date of court-ordered busing plans. March 8. Result: Agreed to, 272 (143 R, 129 D) to 140 (30 R, 110 D). (see Votes No. 93 and 94).

yes

40

Equal Employment Enforcement Act (H.R. 1746). Conference report (see Votes No. 173-176 in 1971). To provide EEOC with court-prosecution powers to enforce Federal anti-job discrimination laws. Vote on adoption. March 8. Result: Adopted, 303 (119 R, 184 D) to 110 (55 R, 55 D).

yes

43

Use of Evidence in District of Columbia Trials (H.R. 12410). To provide for the use as evidence in D.C. court trials of prior inconsistent statements by witnesses. Vote on passage. March 13. Result: Passed, 292 (134 R, 158 D) to 32 (4 R, 28 D).

yes

68

Relief from Restrictions on Soviet Jews (H.Con.Res. 471). Resolution declaring it the sense of Congress that the President should urge the Soviet Union to end discrimination against religious minorities and permit Soviet Jews to emigrate to Israel. Vote on passage under suspension of the rules. April 17. Result: Adopted, 360 (154 R, 206 D) to 2 (1 R, 1 D).

yes

Landy
82

Civil Rights Commission Extension and Expansion (H.R. 12652). To extend for five years, through June 30, 1978, and expand jurisdiction to include discrimination because of sex. Vote on passage under suspension of the rules. May 1. Result: Passed, 265 (117 R, 148 D) to 66 (28 R, 38 D).

yes

83

Omnibus Education Act Amendments of 1972 (S. 659). Yates (D) motion to table (kill) Waggoner (D) motion to instruct House conferees to insist on House-approved anti-busing amendments. (see Votes No. 38, 39, and 94). May 11. Result: Motion to table rejected, 126 (30 R, 96 D) to 273 (138 R, 135 D).

NO

94

Omnibus Education Act Amendments of 1972 (S. 659). Waggoner (D) motion to instruct House conferees to insist on House-approved anti-busing amendments. (see Vote No. 39). May 11. Result: Agreed to, 275 (140 R, 135 D) to 125 (29 R, 96 D).

yes

CIVIL RIGHTS

Vote No.	Subject	Voted
1972		
131	Education Amendments, 1972 (S. 659) Conference Report, authorizing \$19 billion for higher education through fiscal year 1975 and \$2 billion for school desegregation through fiscal 1974. Continues existing higher education programs, establishes new student financial assistance programs, federal aid to higher education institutions, a new occupational education program, and a National Institute on Education. Postpones implementation of court desegregation orders requiring busing. Vote on adoption of the conference report, June 8, 1972. Result: Agreed to, 213 (87 R, 131 D) to 130 (76 R, 104 D). See Votes Nos. 38, 39, 93, 94 and 213-215, 227-243 of 1971.	NO
237	Equal Educational Opportunities Act (H.R. 13915) Vote on rule for consideration of H.R. 13915. August 17, 1972. Result: Agreed to, 318 (151 R, 167 D) to 72 (7 R, 65 D).	yes
238	Equal Educational Opportunities Act (H.R. 13915). Ashbrook (R) amendment to make the neighborhood school the appropriate basis for public school assignment, however not the exclusive basis. (bill's language: an appropriate.) August 17, 1972. Result: Agreed to, 254 (131 R, 123 D) to 131 (27 R, 104 D).	yes
240	Equal Educational Opportunities Act (H.R. 13915), O'Hara (D) amendment to Green (D) amendment requiring that no court, Department of agency shall order the implementation of plans requiring the transportation of any student to a school other than the appropriate one closest to his home. August 17, 1972. Result: Rejected, 174 (84 R, 90 D) to 211 (76 R, 135 D).	NO
241	Equal Educational Opportunities Act (H.R. 13915). That part of Green (D) amendment which provides that upon application of an educational agency, court orders or desegregation plans will be reopened and modified to conform to this Act. August 17, 1972. Result: Agreed to, 245 (130 R, 115 D) to 141 (30 R, 111 D).	yes
Voice Vote	Equal Educational Opportunities Act (H.R. 13915) The remainder of Green (D) amendment which prohibits the transportation of any student other than to the appropriate school closest or next closest to his home, and provides for the termination of court orders requiring the desegregation of a school system found not to exclude any one because of race, color or national origin.	

NOV. 2, 1972

CIVIL RIGHTS

Vote No.	Subject	Voted
1972		
242	Equal Educational Opportunities Act (H.R. 13915). Mikva (D) amendment provides that limitations on student transportation shall not preclude any court, Department or agency from ordering an adequate remedy for denial of equal protection under the laws. August 17, 1972. Result: Rejected, 154 (54 R, 100 D) to 223 (102 R, 121 D).	<u>NO</u>
243	Equal Educational Opportunities Act (H.R. 13915). Mizell (R) amendment which grants students the right to transfer to the appropriate school of their choice, subject to capacity, without regard for race, creed or national origin. August 17, 1972. Result: Rejected, 123 (65 R, 58 D) to 255 (91 R, 164 D).	<u>NO</u>
244	Equal Educational Opportunities Act (H.R. 13915). Stokes (D) amendment stating that nothing in the Act is intended be inconsistent with or violative of the Constitution. August 17, 1972. Result: Rejected, 178 (55 R, 123 D) to 197 (98 R, 99 D).	<u>NO</u>
245	Equal Educational Opportunities Act (H.R. 13915) To provide for the use of \$500 million in authorized emergency school aid funds for special compensatory education programs, prohibits denial of educational opportunities to any child, prohibits enforced merger of school districts, allows enforced busing to achieve racial balance only as a last resort, prohibits busing beyond the school closest or next closest home, prohibits busing harmful to the health or education of the child, and provides for the reopening and modification of court orders and desegregation plans to comply with the Act. Vote on passage. August 17, 1972. Result: Passed, 283 (131 R, 152 D) to 102 (29 R, 73 D). See Votes Nos. 237-244.	<u>YES</u>
1973		
180	Legal Services Corporation Act (HR 7824) - Mizell amendment to bar the Corporation from participating in "any proceeding or litigation" which relates to school desegregation. June 21, 1973. Result: Passed 221 to 150.	Yes