

June 10, 1960

CONGRESSIONAL CIVIL RIGHTS RECORD  
OF PRESIDENTIAL CANDIDATES\*

All of the leading announced Presidential candidates have served in Congress and have had the opportunity to act on important civil rights issues. Their stands on the issues as recorded by the Washington Bureau, NAACP, are reported herewith.

The Congressional service of these candidates (listed alphabetically) is as follows:

Senate Majority Leader Lyndon B. JOHNSON: Democrat, Texas, House of Representatives - elected to 75th Congress on April 10, 1937. Elected to Senate to 81st Congress on November 2, 1948. Served in Senate to date.

Senator John F. KENNEDY: Democrat, Massachusetts. House of Representatives - elected to 80th Congress on November 5, 1946. Elected to Senate to 83rd Congress on November 4, 1952. Served in Senate to date.

Vice-President Richard M. NIXON: Republican, California. House of Representatives - elected to 80th Congress on November 5, 1946. Elected to Senate to 82nd Congress on November 7, 1950. Elected Vice-President on November 4, 1952. Served as Vice-President to date.

Senator Stuart SYMINGTON: Democrat, Missouri. Elected to Senate to 83rd Congress on November 4, 1952. Served in Senate to date.

Before his election to the Senate, Mr. Symington served as Chairman of the Surplus Property Board, Assistant Secretary of War for Air, Chairman of the National Security Resources Board and Administrator of the Reconstruction Finance Corporation.

As head of NSRB and RFC he initiated fair employment policy programs in those agencies. As Secretary of the Air Force, he directed the program of integration in that branch of the Armed Service.

SENATE RECORD

Following is the civil rights voting record in the Senate on issues directly related to Civil Rights by Presidential candidates.

This record goes back to the 79th Congress (January 3, 1945, to August 2, 1946) and each issue is listed separately. If a candidate's name does not appear under a specific issue it means (unless otherwise indicated) that he was not in Congress when that issue was acted on.

86th Congress

The Civil Rights Bill of 1960

The Civil Rights Bill passed by Congress failed to meet the NAACP's standard of a meaningful civil rights bill because the Congress failed to strengthen the "skeleton" bill by adding any significant amendments.

In other sessions of previous Congresses, the fate of civil rights legislation often was determined by Senate votes on procedural matters. This was not so with respect to the Civil Rights Act of 1960, because both those who favored a strong bill and those who favored a weak bill were in agreement that some civil rights legislation would be enacted. Under these circumstances the votes on procedure under which the Senate brought the bill to the floor are not included in this report.

At the close of the 1st Session of the 86th Congress, Majority Leader Johnson and Minority Leader Dirksen announced that civil rights legislation would be considered by the Senate in the 2nd Session and that such consideration would begin about February 15, 1960.

Pursuant to this commitment, the debate on civil rights legislation began on February 15 when Senator Dirksen proposed the Administration's program in the form of amendments to a pending bill, with the cooperation of Senator Johnson.

\*At the time this report was prepared, former Governor Adlai Stevenson of Illinois and Governor Nelson Rockefeller of New York were not officially announced as candidates for the presidential nomination in their respective parties. Therefore, no attempt was made to include their records.

In the Senate, the failure to strengthen the bill was due to the refusal of the Senate to vote an end to the filibustering tactics of the segregation bloc and more importantly, to an agreement between the Majority Leader, Senator Lyndon Johnson (D., Texas), the Minority Leader, Senator Everett Dirksen (R., Ill.) and northern members of both parties to defeat any strengthening amendments.

After almost a month of southern filibustering against a civil rights bill, Senators Douglas (D., Ill.) and Javits (R., N.Y.) filed a cloture petition. A vote was taken on March 10, 1960. If the Senate had acted favorably, the filibuster would have been broken and the Senate could have worked to enact a strong civil rights bill. The cloture motion lost by a vote of 42 to 53.

FOR the Cloture Motion

Kennedy Symington

AGAINST the Cloture Motion

Johnson

Also on March 10, 1960, the Senate voted on Part III, which would have helped strengthened the civil rights bill by authorizing the U.S. Attorney General to file civil suits for injunction to protect civil rights. Part III was defeated when the Senate adopted a motion to table offered by Senator Lyndon Johnson by a vote of 55 to 38. Senator Johnson's motion killed Part III.

FOR Part III

Kennedy Symington

AGAINST Part III

Johnson

Other attempts to strengthen the civil rights bill were defeated by a bi-partisan coalition headed by Senator Johnson and Senator Dirksen.

Vice-President Nixon has been serving as Chairman of the President's Committee on Government Contracts since August 1953.

This Committee supervises the Federal program under which the Government seeks to guarantee non-discrimination in employment by firms working on Government contracts.

This Committee operates under Executive Order. President Eisenhower suggested that it be replaced by a permanent Commission with statutory authority.

An amendment to establish a permanent Commission on Equal Job Opportunity Under Government Contracts to prevent racial discrimination by firms granted Government contracts was defeated on April 1, 1960, by the Adoption of Senator Dirksen's motion to table. The Dirksen motion carried by a vote of 48 to 38.

FOR the Commission

Symington

AGAINST the Commission

Johnson

Not Voting

Kennedy

On April 4, 1960, another strengthening amendment was killed. Senator Kenneth Keating (R., N.Y.) offered an amendment providing technical assistance to areas desegregating their schools and endorsing the Supreme Court's decision on school desegregation. Senator Mike Mansfield (D., Mont.) moved to table. The Mansfield motion was adopted by a vote of 61 to 30.

FOR Supporting the Court Decision

Symington

AGAINST Supporting the Court Decision

Johnson

Not Voting

Kennedy

On April 8, 1960, the Civil Rights Bill of 1960 (H.R. 8601) passed by a vote of 71 to 18.

FOR the Civil Rights Bill

Johnson

Kennedy

Symington

On February 2, 1960, Senator Javits proposed an anti-poll tax bill as a substitute for a resolution proposing three constitutional amendments, one of which was to abolish the poll tax. It has long been the position of the NAACP and other civil rights organizations that the poll tax can be abolished by Congressional action, without resorting to a Constitutional amendment. To attempt to do it by Constitutional amendment would establish an undesirable precedent for other civil rights matters. Therefore, the Association supported the Javits substitute. It was defeated by a vote of 50 to 37.

FOR the Javits Bill

Kennedy\*

Symington

\*did not vote, but was paired for the bill.

AGAINST the Javits Bill

Johnson

Senate Rule 22 makes it virtually impossible to limit debate in the Senate, especially on Civil Rights Bills. The southerners by filibustering either block civil rights legislation or give the Senate an excuse to compromise on such legislation. Therefore, the NAACP supports a change in this rule and supports all efforts to end filibusters against civil rights legislation.

When the 86th Congress met, civil rights supporters attempted to secure a change in Senate Rule 22, the filibuster rule. Senator Anderson (D., N.Mex.) offered a motion which would have allowed the Senate to take up Rule 22 for change and to consider proposals to make the Rule more liberal. The Anderson motion was defeated when the Senate adopted a motion to table it on January 9, 1959, by a vote of 60 to 36. The tabling motion was offered by Majority Leader Lyndon Johnson.

FOR the Anderson Motion

Kennedy

Symington

AGAINST the Anderson Motion

Johnson

Opinion of the Vice-President

Prior to the vote on the Anderson motion, on January 7, Vice-President Nixon, in response to a parliamentary inquiry from Senator Javits (R., N.Y.) expressed the opinion "that the majority of the Senate has a constitutional right at the beginning of each new Congress to determine what rules it desires to follow."

This opinion, if upheld by the Senate, would make it easier for the Senate to change Rule 22 (the filibuster rule) than has been possible in the past.

Senator Johnson's motion to table Senator Anderson's motion made it unnecessary for the Senate to vote on the Vice-President's opinion.

On September 14, 1959, the Senate approved extending the life of the Civil Rights Commission for two years by a vote of 71 to 18.

FOR the Extension

Johnson

Kennedy

Symington

85th Congress

On January 4, 1957, the Senate by a vote of 55 to 38 defeated Senator Anderson's motion that would have changed Rule 22 (the filibuster rule), by accepting Senator Johnson's motion to table.

On the same day, prior to the vote, Vice-President Nixon answered a parliamentary inquiry by Senator Hubert Humphrey (D., Minn.) by an opinion, in which he stated: "When the membership of the Senate changes, as it does upon the election of each Congress, it is the Chair's opinion that there can be no question that the majority of the new existing membership of the Senate, under the Constitution, have the power to determine the rules under which the Senate will proceed."

This opinion, if supported by the Senate, would make a change in Rule 22 easier.

The parliamentary situation prevented a vote on the Vice-President's ruling, as the adoption of the Johnson motion prevented any further action on Rule 22 at that time.

FOR the Anderson Motion

Kennedy

Symington

AGAINST the Anderson Motion

Johnson

When H.R. 6127, the Civil Rights Bill, came to the Senate from the House, opponents sought to kill it by forcing it into Senator Eastland's Judiciary Committee.

When Senator Knowland (R., Cal.) on June 20, 1957, objected to the bill's being sent to the Judiciary Committee, Senator Russell (D., Ga.) raised a point of order, insisting that under the Senate Rules the bill must go to the Committee before coming to the Senate floor for debate.

Vice-President Nixon stated his opinion that Senator Russell's point of order was not well taken. In the course of his opinion, Mr. Nixon stated:

"How can the right of the Senate to decide whether a bill should be referred to committee be protected?

"In the opinion of the Chair, the following procedure, based on Senate precedents, accomplished that objective.

"In the absence of objection, after second reading of a bill, it will, under the long established practice of the Senate, be immediately referred to the committee designated by the provisions of rule XXV.

"If objection is made under paragraph 4, rule XIV, and a point of order is not raised against the objection, the bill will be placed on the calendar....

"The Senate, in effect, by failing to raise a point of order, waived its right to refer the bill to committee.

"If when a Senator attempts to invoke paragraph 4, rule XIV, a point of order is raised on the ground that the bill should be referred to committee...the Chair can decide the point of order or submit it to the Senate for decision....

"It is the Chair's opinion that the point of order is not well taken but.... the Chair believes that the proper procedure is to submit the point of order to the Senate under rule XX...."

The Senate overruled the Russell point of order by a vote of 49 to 36 on June 20, 1957, defeating the attempt to send the bill to the Eastland Committee.

FOR Sending Bill to Eastland Committee

Johnson

Kennedy

AGAINST Sending Bill to Eastland Committee

Symington

When the bill (H.R. 6127) was considered by the Senate, Part III, which would have allowed the Attorney General to act in civil rights cases, was taken out by a vote of 52 to 38 on July 24, 1957. This part of the bill would have given the Justice Department new power to act in matters such as the Little Rock and Virginia school cases.

FOR Part III

Kennedy

Symington

AGAINST Part III

Johnson

The Senate attached a jury trial amendment to the civil rights bill over the opposition of the civil rights forces on August 2, 1957, by a vote of 51 to 42.

FOR the Jury Trial Amendment

Johnson

Kennedy

AGAINST the Jury Trial Amendment

Symington

On August 29, 1957, the Senate passed the Civil Rights Bill of 1957 (H.R. 6127) by a vote of 60 to 15.

FOR the Civil Rights Bill

Johnson

Kennedy

Symington

The southern bloc opposed the nomination of W. Wilson White as head of the Civil Rights Division, in order to frustrate the work of the Division and because Mr. White had advised the President on the use of troops at Little Rock. On August 18, 1958, Mr. White's nomination was approved by a vote of 56 to 20.

FOR the White Nomination

Kennedy

Symington

AGAINST the White Nomination

Johnson

In the closing days of the 85th Congress, opponents of the Supreme Court made a desperate effort to limit the jurisdiction of the Supreme Court and other Federal Courts. The Jenner-Butler Bill would have reversed some of the liberal decisions of the Supreme Court and taken away from the Court authority to hear appeals in cases affecting the right to practice law in the state courts. The Senate killed the Jenner-Butler Bill on August 20, 1958, by adopting Senator Henning's motion to table it by a vote of 49 to 41.

FOR the Hennings' Motion

Johnson

Kennedy

Symington

The McClellan Bill would have limited the right of Federal courts to strike down state laws as being in conflict with Federal laws except where Congress specifically granted such authority. It was strongly opposed by the NAACP. Two attempts were made to kill this bill. The first, a motion to table by Senator Hennings on August 20, 1958, failed by a vote of 46 to 39.

FOR the Hennings Motion

Johnson

Kennedy

Symington

The second attempt to kill the McClellan bill, a motion to recommit, by Senator John Carroll (D., Colo.) passed on August 21, 1958, by a vote of 41 to 40.

FOR the Carroll Motion

Johnson Kennedy Symington

84th Congress

On August 1, 1955, an attempt was made to continue a prohibition of payment of the Poll Tax by servicemen who use absentee ballots, but was defeated 56 to 22.

FOR the Poll Tax Prohibition

Symington

Not Voting

Johnson Kennedy

The NAACP opposed the Daniel-Mundt Resolution proposing a Constitutional amendment which would have changed the method of electing the President. The resolution was drafted to give more power to the southern states in the election of the President and Vice President.

Senator Kennedy successfully led the floor fight in the Senate against the Daniel-Mundt Resolution. It was defeated on March 27, 1956, when it failed to secure the required two-thirds vote.

FOR the Daniel-Mundt Resolution

Johnson

AGAINST the Daniel-Mundt Resolution

Kennedy Symington

President Eisenhower nominated Solicitor General Sobeloff to be a Circuit Court Judge. The Southerners opposed him because he had represented the Department of Justice in opposing school segregation before the Supreme Court. On July 16, 1956, the Senate approved the Sobeloff nomination by a vote of 64 to 19.

FOR the Sobeloff Nomination

Johnson Kennedy Symington

On July 24, 1956, Senator Douglas made a motion to adjourn the Senate. If adopted it would have made possible Senate consideration of the House-passed Civil Rights Bill, H.R. 627. The motion was defeated by a vote of 76 to 6.

AGAINST the Douglas Motion

Johnson Kennedy Symington

83rd Congress

Senator Anderson sponsored a motion to change Rule 22 (the filibuster rule). It was defeated by a vote of 70 to 21 on January 7, 1953.

FOR the Anderson Motion

Kennedy Symington

AGAINST the Anderson Motion

Johnson

82nd Congress

Senator Herbert Lehman (D., N.Y.) sponsored an amendment which would have made violence against servicemen punishable as a Federal crime. On March 7, 1951, it was defeated 57 to 30.

AGAINST the Lehman Amendment

Johnson Nixon

In this Congress the Senate Committee on Labor and Public Welfare considered FEPC legislation.

Senator Humphrey (D., Minn.) submitted a report for a majority of the Committee recommending passage of S. 2080, a bill to "prohibit discrimination in employment because of race, color, religion, or ancestry."

Senator Nixon and Senator Robert Taft (R., Ohio), who were on the Committee, dissented with the majority recommendation, as follows:

"We do not concur in the views of the majority and reserve the right to file individual views at a later date."

The Congressional Record indicates that no such views were filed.

The Senate failed to act on S. 2080.

At the opening of the 81st Congress, Vice President Barkley gave a ruling that would have made it easier to break a filibuster. On March 11, 1949, the Senate overruled the Vice President, 46 to 41.

#### AGAINST the Barkley Ruling

Johnson

Two votes were taken to end filibuster against FEPC. On May 19, 1950, the first of these failed by a vote of 52 to 32 (64 votes were needed).

#### AGAINST Ending the Filibuster

Johnson

On July 12, 1950, the second attempt to end the FEPC failed by a vote of 55 to 33.

#### AGAINST Ending the Filibuster

Johnson

Senator Lucas (D., Ill.) sponsored an amendment to protect integration in the Armed Forces. This amendment was approved by a vote of 42 to 29 on January 21, 1950.

#### AGAINST the Lucas Amendment

Johnson

#### HOUSE RECORD

Following are the records of Senator Johnson, Senator Kennedy and Vice-President Nixon from the 79th through 82nd Congresses in the House of Representatives.

Senator Johnson was in the House during the 79th and 80th Congresses.

Senator Kennedy was in the House in the 80th, 81st and 82nd Congresses.

Vice-President Nixon was in the House in the 80th and 81st Congresses.

#### 82nd Congress

The NAACP opposed a bill offered by Representative Rankin (D., Miss.) which would have established a Jim Crow Veterans Hospital. It was defeated by a vote of 223 to 117 on June 6, 1951.

#### Not Voting

Kennedy

81st Congress

The NAACP supported an amendment which prohibited segregation in the SPARS, the Women's Auxiliary of the Coast Guard. The amendment was adopted on April 4, 1949, by a vote of 193 to 153. (The bill, as amended, was then killed by a non-record vote recommitting it to Committee.)

FOR the Amendment

Kennedy Nixon

The NAACP supported a bill to abolish the Poll Tax. On July 26, 1949, the bill passed the House by a vote of 273 to 116. (The bill died in the Senate).

FOR the Bill

Kennedy Nixon

The House considered a strong FEPC bill introduced by Mr. Powell. Instead of passing this, it passed a weak substitute, sponsored by Mr. Samuel McConnell on February 22, 1950. (The bill died in the Senate).

FOR Strong FEPC

Kennedy

AGAINST Strong FEPC

Nixon

79th Congress

On June 12, 1945, the House passed an anti-poll tax bill. This bill was killed in the Senate by a Southern filibuster.

AGAINST the Poll Tax Bill

Johnson

An attempt to get a vote on an Anti-Lynching Bill was made by having Congressmen sign a discharge petition.

Non-Signer

Johnson

For this report and/or additional information contact:

Washington Bureau, NAACP  
100 Massachusetts Avenue, N. W.  
Washington 1, D. C.

NAACP

88

NAACP (1945-46) which succeeded in getting a bill to prohibit racial discrimination in the armed forces adopted a resolution to support the Civil Rights Bill of 1948.

NAACP

Kennedy