

STATEMENT BY SENATOR STROM THURMOND (D-SC) RECORDED FOR HIS WEEKLY RADIO BROADCAST, AUGUST 21, 1958.

MY FRIENDS AND FELLOW-CITIZENS:

I have just left the Senate Chamber for a few minutes/to make this radio broadcast. At the moment this broadcast is being recorded, the Senate is engaged in one of the most heated/and most important debates/of the session.

We are debating a motion I am co-sponsoring with Senator McClellan/and others/to add the provisions of H.R. 3, the so-called States' Rights Bill, to another bill which is before the Senate. The States' Rights Bill, which was previously passed by the House, provides that the courts shall not construe an Act of Congress/as intending to pre-empt a field of legislation, to the exclusion of State laws in the same field, unless Congress so states in the Act, or unless there is a direct and positive conflict between Federal law and State law.

The principle embodied in the States' Rights Bill/is not a new one. The bill does not propose any radical change in our system of government. On the contrary, it proposes to reaffirm one of the fundamental principles of our dual system of government. This reaffirmation is necessary, because the Supreme Court, in recent decisions, has attempted to delegate new powers to the Federal government, at the expense of the States.

As I am recording this broadcast, the debate is still going on. I will not predict the final outcome. However, I will tell you now/that we have already gained significant victories/by bringing



the issue to the floor and winning a test vote. The Senate voted to side-track a resolution/commending the Supreme Court for its racial integration decrees, and, instead, agreed to take up the States' Rights measure. Later, by a vote of 46 to 39, the Senate refused to set the States' Rights issue aside/and allow it to die.

The forces opposed to this States' Rights Bill/were determined to prevent its even being brought to the Senate floor/for consideration. They fought against it in every conceivable way. They threatened to push through so-called civil rights legislation/of the most obnoxious kind. They threatened to use delaying tactics/to postpone the adjournment of Congress indefinitely.

Those of us/who believe that the States must continue to exercise their constitutional rights and powers/were equally determined. We planned our strategy carefully. When we introduced this vitally important amendment, we had 33 Senators as co-sponsors, and 12 other pledged votes. I had gone to every Senator who <sup>I thought</sup> might conceivably support our position/and had presented the issue as forcefully and persuasively as possible. We tried to answer every possible objection.

When the motion to table/brought about the first roll-call test vote, this strength enabled us to prevail by a margin of 7 votes.

Through this success, we have, at the least, succeeded in putting the Senators on record, on a clear-cut issue in the field of States' Rights. We have also succeeded in focussing the attention



of the Senate/on the extremely grave and critical issue/of the relationship between the Federal government and the State governments.

I went into this fight willingly, although I knew that it would be a hard battle, and that there would be heart-breaking setbacks. My attitude has not changed. I am determined to fight every step of the way. No issue is more vital to the continuation of our constitutional form of government than the issue of States' Rights.

*win or lose,*

I believe that we can take hope from the recent events in the Senate. I am convinced that the great majority of the people of the United States/are with us in adhering to the belief/that the best government is government close to the people.

I wish to thank this station for granting me this time each week, and thank you for listening.

This is Strom Thurmond in Washington.

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