

STATEMENT BY SENATOR STROM THURMOND (D-SC) ON CIVIL RIGHTS COMMISSION REPORT,
SEPTEMBER 3, 1959.

The report of the Civil Rights Commission which is to be made to the President and the Congress on September 9, 1959, contains some very vicious, unconstitutional and anti-South proposals which, if put into effect, would promote racial strife, bitterness, and hatred throughout the United States for years to come. The proposal would also have the Federal government further rape the rights of the states and the people.

The report confirms the fears I expressed in 1957 when I made an extended address of more than 24 hours in the Senate against passage of the so-called Civil Rights Act of 1957. At that time I pointed out the serious consequences of creating a commission to stir up racial strife and tensions. I also told the Senate that, in addition to being unnecessary and unwise, the Commission and the Act creating it were both unconstitutional.

Since that time a federal judge has ruled that the Commission's rules of procedure are unconstitutional. A three-judge panel is expected to pass soon on the constitutionality of the rules of procedure and the Act which set up the Commission. If the court, and subsequently the U. S. Supreme Court, will follow anywhere near closely the Supreme Court's recent pro-Communist decisions, particularly the Greene case involving the nation's industrial security program, then the rules of procedure and the Act will both have to be declared unconstitutional.

The report is not unanimous, and the most obnoxious and vicious proposals do not even carry the support of a majority of the Commissioners. Lacking a majority, these proposals or recommendations--whichever the Commission staff may wish to call them--should not be considered as action of the Commission, as the form of the report would indicate is their intention.

The Commission proposes recommendations in the general fields of voting, education, and housing.

In the voting field the commissioners who join in the recommendations demonstrate either an abysmal ignorance or an unconscionable lack of respect for constitutional limitations on the authority of the federal government with regard to the qualifications of voters. One proposal would substitute a federal registrar to determine who is eligible to vote under State laws and to dictate registration lists to the State registration officials. This is obviously unconstitutional.

Three of the commissioners have the audacity to propose that the Constitution be amended to allow the federal government rather than the States to decide who should vote. This could well be called a proposal for outright dictatorship. I am gratified that three of the commissioners indicate by their dissent that they have not completely lost touch with the principles of government responsible for the success of our nation. So-called recommendations or proposals by members of the commission in the field of education go from the extreme to the absurd. They advocate such things as integration plans by the Federal Commissioner of Education and the withholding of federal grants from any school or college which does not integrate.

In the field of housing the commissioners who join in the recommendations would have the federal government integrate all housing by executive fiat.

The commission, while acknowledging that the Fourteenth Amendment is applicable only to state action, in the same breath makes recommendations in the areas of private schools, private real estate boards, and other areas which have nothing whatsoever to do with government action.

I commend Commissioner Battle and concur in his sentiments that the report "is not an impartial statement. . . but rather, in large part, an argument in advocacy of pre-conceived ideas in the field of race relations."

NEEDLESS TO SAY, I WILL VIGOROUSLY OPPOSE ANY EXTENSION OF THIS COMMISSION.